

Agenda

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East Area Planning Committee

Date: **Wednesday 1 May 2019**

Time: **6.00 pm**

Place: **The Old Library - Oxford Town Hall**

For any further information please contact the Committee Services Officer:

Jennifer Thompson, Committee and Member Services Officer

Telephone: 01865 252275

Email: democraticservices@oxford.gov.uk

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

East Area Planning Committee

Membership

Chair	Councillor Sian Taylor	Northfield Brook;
Vice-Chair	Councillor Mark Lygo	Churchill;
	Councillor Shaista Aziz	Rose Hill and Iffley;
	Councillor Nigel Chapman	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Stef Garden	Headington;
	Councillor Christine Simm	Cowley;
	Councillor Roz Smith	Quarry and Risinghurst;
	Councillor John Tanner	Littlemore;

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

Copies of this agenda

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

AGENDA

Pages

Planning applications - background papers and additional information

To see representations, full plans, and supplementary information relating to applications on the agenda, please [click here](#) and enter the relevant Planning Reference number in the search 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 18/02303/RES: Littlemore Park, Armstrong Road, Oxford OX4 4XG

11 - 42

Site address: Site South of Armstrong Road, Oxford.

Proposal: Details of reserved matters (layout, scale, appearance, landscaping and access) pursuant to planning application 18/02231/VAR (variation of condition 3 (approved plans and documents) to revise indicative parameters plans and condition 18 (noise levels) to revise residential noise levels of planning permission 14/02940/OUT as varied by 14/02940/NMA and 14/02940/NMA2 (Outline planning application (with all matters reserved) seeking permission for up to 270 residential dwellings to incorporate a maximum of 92 houses on 2 to 3 floors of 1 to 4 bedrooms with one dwelling being a house with 5 bedrooms and 178 flats of 1 to 4 bedrooms on 2 to 5 floors. Provision of car parking, cycle and bin storage, landscaping and ancillary works. (Amended plans and additional information)

Recommendation: East Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out within Section 12 of the report and grant Reserved Matters Approval; and
2. **delegate authority** to the Head of Planning, Sustainable Development and Regulatory Services to:
 - (a) issue the decision subject to the grant of planning application 18/2231/VAR and the variation of the S106 attached to that permission varied, and decision issued;

- (b) finalising the recommended conditions as the Acting Head of Planning Services considers reasonably necessary; and
- (c) if approval cannot be granted, to recommend refusal for reasons as considered necessary by the Acting Head of Planning Services.

4 19/00220/FUL: 1a Mortimer Drive, Old Marston, OX3 0RR

43 - 54

Site address: 1A Mortimer Drive, Oxford, OX3 0RR

Proposal: Erection of a single storey side and single storey rear extension. (Amended Plans)

Recommendation: East Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 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.

5 18/03361/CT3: site of 2-32 Green Road, Oxford

55 - 62

Site address: Site Of 2- 32, Green Road, Oxford.

Proposal: Demolition of existing brick sheds, removal of hardstanding, hedge, tree and trellis. Erection of eco sheds in association with pathway resurfacing, insertion of low walls, railings, fencing and gated access. Provision of metrostor bin stores and communal garden with seating and raised planters. Erection of low level wooden bollards to the north elevation. (Amended plans and description)

Recommendation: East Area Planning Committee is recommended to:

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

6 Minutes

63 - 66

Recommendation: to approve the minutes of the meeting held on 3 April 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.

16/02549/FUL: Land Adjacent 4 Wychwood Lane, OX3 8HG	Non-delegated application
17/01519/FUL: 55 Collinwood Road Oxford OX3 8HN	Call in
18/02442/FUL: 4 Lime Walk, OX3 7AE	Committee level decision
18/02587/FUL: Site Of Blocks C F G H J K L And M Clive Booth Hall, John Garne Way, Oxford OX3 0FN	Committee level decision (due June 2019)
18/03180/FUL: 108 Temple Road, Oxford, OX4 2HA	Called in
18/03330/OUT: Sports Field William Morris Close Oxford OX4 2SF	Committee Level Decision
18/03405/FUL: Holy Family Church , 1 Cuddesdon Way, Oxford, OX4 6JH	Committee level application
19/00219/FUL: 4 Woodlands Road, Oxford, OX3 7RU	Called in
19/00233/FUL: 60 Mortimer Drive, Oxford, OX3 0RU	Called in
19/00305/OUT: 295-301 London Road, Headington, Oxford, OX3 9HL	Committee level application
19/00366/CT3: Green Spaces And Hardstanding, Furlong Close, Oxford	Council application
19/00472/FUL: 55 Stanway Road, Risinghurst	Called in
19/00518/RES: Land At Barton, Northern Bypass Road, Oxford, OX3 9SD	Committee level decision
19/00643/CT3: 63 Asquith Road, Oxford, OX4 4RN	Council application
19/00644/CT3: 16 Croft Road, Oxford, OX3 0JY	Committee level decision
19/00779/FUL: Land at 1-7 Jack Straw's Lane/ 302-304 and 312 Marston Road, Oxford, OX3 0DL	

8 Dates of future meetings

Future meetings of the Committee are scheduled at 6.00pm on

With an additional date of 13 June to deal with the applications scheduled for the June meeting.

2019

5 June

3 July

31 July 2

4 September

2 October

6 November

2 December

2020

15 January

5 February

4 March

1 April

Councillors declaring interests

General duty

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

What is a disclosable pecuniary interest?

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

Declaring an interest

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

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

Members' Code of Conduct and public perception

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

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

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

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

The following minimum standards of practice will be followed.

At the meeting

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

Preparation of Planning Policy documents – Public Meetings

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

Public requests to speak

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

Written statements from the public

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

Exhibiting model and displays at the meeting

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

Recording meetings

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

Meeting Etiquette

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

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

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East Area Planning Committee

1st May 2019

Application number: 18/02303/RES

Decision due by 28th November 2018

Extension of time TBA

Proposal Details of reserved matters (layout, scale, appearance, landscaping and access) pursuant to planning application 18/02231/VAR (variation of condition 3 (approved plans and documents) to revise indicative parameters plans and condition 18 (noise levels) to revise residential noise levels of planning permission 14/02940/OUT as varied by 14/02940/NMA and 14/02940/NMA2 (Outline planning application (with all matters reserved) seeking permission for up to 270 residential dwellings to incorporate a maximum of 92 houses on 2 to 3 floors of 1 to 4 bedrooms with one dwelling being a house with 5 bedrooms and 178 flats of 1 to 4 bedrooms on 2 to 5 floors. Provision of car parking, cycle and bin storage, landscaping and ancillary works. (Amended plans and additional information)

Site address Site South Of, Armstrong Road, Oxford, Oxfordshire – see **Appendix 1** for site plan

Ward Littlemore Ward

Case officer Clare Gray

Agent: Mr Jonathan Waugh **Applicant:** C/O Agent

Reason at Committee The application comprises major development

1. RECOMMENDATION

1.1. The East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out within Section 12 of this report and grant Reserved Matters Approval

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

- Issue the decision subject to the grant of planning application 18/2231/VAR and the variation of the S106 attached to that permission

varied, and decision issued.

- finalising the recommended conditions as the Acting Head of Planning Services considers reasonably necessary;
- If approval cannot be granted, to recommend refusal for reasons as considered necessary by the Acting Head of Planning Services

2. EXECUTIVE SUMMARY

- 2.1. This report considers a reserved matters application following the resolution to grant planning permission at East Area Planning Committee in February 2019 for the variation to the outline application for 270 new dwellings, at land at Armstrong Road, Littlemore.
- 2.2. The outline application was first approved in 2014 and all matters relating to appearance, access, layout, scale and landscaping were reserved for subsequent consideration at reserved matters stage. Planning permission is now sought for these matters via this application.
- 2.3. The application would involve the redevelopment of a site that has been allocated for residential development within the Sites and Housing Plan. The site allocations within this development plan document are a key part of ensuring that the objectives of the Oxford Core Strategy 2026 are achieved. In terms of residential development this means contributing to the overall housing need as set out within the Oxford Core Strategy.
- 2.4. The scheme would accord with the aims and objectives of the National Planning Policy Framework, in that it has an objective to significantly boost the supply of homes (paragraph 59), and to promote an effective use of land to meet the need for homes. It would constitute sustainable development, and, given conformity with the development plan as a whole, paragraph 11 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies.

3. LEGAL AGREEMENT

- 3.1. The planning obligations for outline permission 14/02940/OUT were secured via three legal agreements.
- 3.2. There was an agreement between Oxford City Council and the applicant, Oxford University Hospitals NHS Foundation Trust, to secure employment land at the Churchill Hospital site to mitigate for this site (Littlemore Park) being residential only with no employment uses. No changes will be needed to this legal agreement as a result of the application under consideration. The Hospitals Trust is working with planning officers to comply with their obligations under this agreement.
- 3.3. There was an agreement between Oxford City Council and the applicant, Oxford University Hospitals NHS Foundation Trust, to secure the following planning obligations:

- Affordable Housing – at least 50% on site provision with a mix of 80% social rent and 20% intermediate housing;
- Accessible homes;
- Public open space and play areas, and their management;
- Ecological mitigation including biodiversity off-setting and species relocation;
- Future proofing of pedestrian and cycle links to adjacent land;
- Financial contribution of £50,000 towards general sports and leisure facilities within Littlemore.

Any outstanding obligations have passed to the new landowner, Catalyst Housing Ltd. The legal agreement sets out the percentage range of 1-bed, 2-bed, 3-bed and 4-bed Affordable Housing units that the developer must deliver. This agreement will need a deed of variation so that it accords with the details of this application including the change in the mix of Affordable Housing units, and to reflect current regulations, such as the change from Lifetime Homes to Part M of Building Regulations. The obligations listed above will continue to be secured following the Deed of Variation.

- 3.4. The third legal agreement was between Oxfordshire County Council and the applicant, Oxford University Hospitals NHS Foundation Trust, to secure the obligations relating to highways. Any outstanding obligations have passed to the new landowner, Catalyst Housing Ltd. No changes are needed to this agreement.

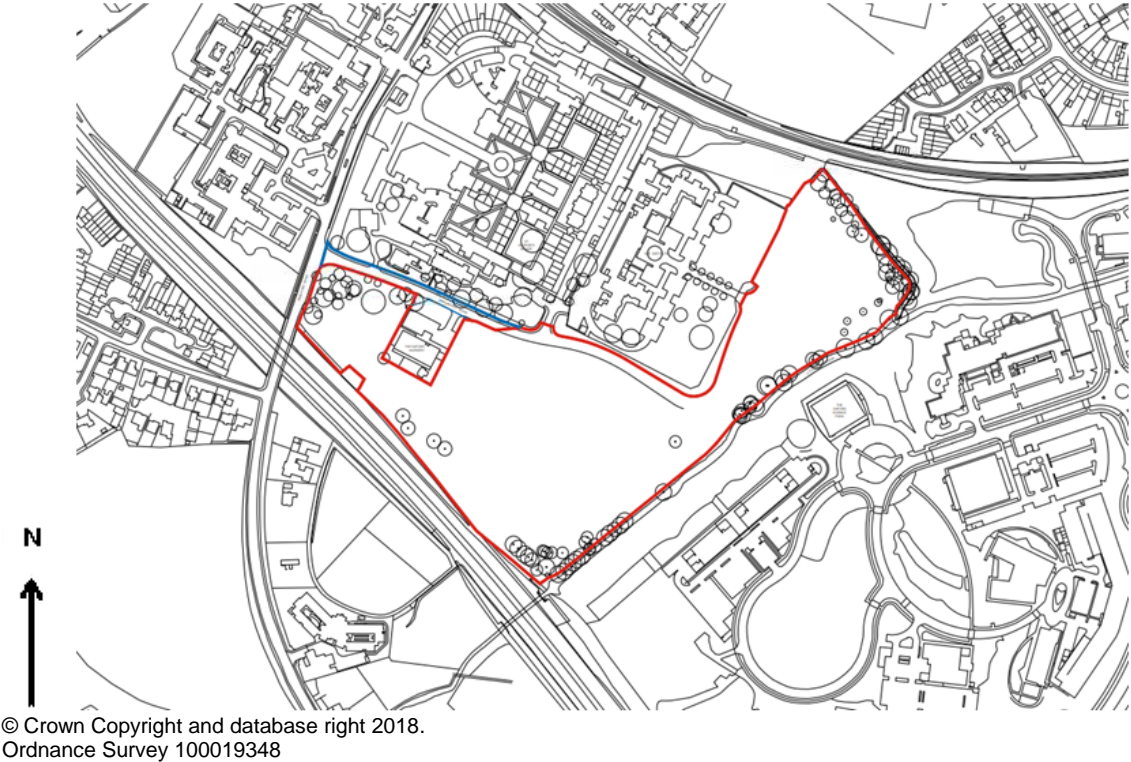
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for a CIL payment of £3,359,182.75.

5. SITE AND SURROUNDINGS

- 5.1. The application relates to approximately 6.28 hectares of open land in the south-western corner of Littlemore accessed from Armstrong Road. The site is bordered by Armstrong Road to the north, A4074 to the south-west, Littlemore Brook to the south-east, and Sandford Road to the north-west.
- 5.2. The site was formerly part of the Littlemore Hospital site. It comprises open ground which is covered in rough grass, scrub and hedgerows. There is a dense copse of trees in the north-west corner adjacent to Sandford Road and a smaller copse in the central part of the site adjacent to Armstrong Road.
- 5.3. The residential development at St Georges Manor and the SAE Institute, which were formed from the former Littlemore Hospital buildings, lie to the north of the site. The Oxford Science Park lies to the south-east on the opposite side of the Littlemore Brook. The 'Oxford Nursery' children's nursery is in the north-western section of the site but does not form of this application. The A4074 lies parallel to the south western boundary of the site.

- 5.4. The site slopes from west to east towards the Littlemore Brook which falls outside of the application site but runs along the south eastern perimeter. Flood Plains 2 and 3 extends into the site. The trees within the site originate from the 19th Century planting of the hospital grounds. A large number of trees are protected by a TPO and include trees along the south eastern boundary of the site, the copse to the west of the site and trees along the north eastern boundary in the area of the hospitals former burial ground.
- 5.5. See site plan below:



6. PROPOSAL

- 6.1. The application seeks planning permission for the reserved matters following the grant of outline permission 14/02940/OUT in 2014 and the subsequent variation for outline permission application 18/02231/VAR. The latter application having been approved by the East Area Planning Committee in February 2019 subject to varying the S106 agreements attached to the original outline application.
- 6.2. This reserved matters application seeks to approve all matters comprising appearance, landscaping, access, layout and scale. It does not seek to reconsider the principle of developing the site for residential accommodation,
- 6.3. Access would be obtained from and along Armstrong Road, with a total of 3 access points being provided into the site to enable connectivity and for buses to come into the site and out again upon a principal route, in a loop within the centre of the site.

- 6.4. The site layout would accommodate 270 residential units to be provided in mix of 92 houses and 178 apartments. The typologies range from 1 - 5 bedrooms homes, with 40 x 1 beds, 82 x 2 beds, 108 x 3 beds, 39 x 4 beds and 1 x 5 beds. The houses range from 2 to 3 storey in height and the apartments are provided in a total of 6 blocks of 5 storey height, and are provided to reflect different character areas across the site. The dwellings are a mix of both traditional appearance to the west of the site moving to a more contemporary aesthetic within the centre and to the apartment buildings to the east.
- 6.5. Fifty per cent of the residential units are proposed as affordable housing, in compliance with local plan policy and the Section 106 legal agreement connected to the outline consent as varied. Of these affordable units, 80% of the units will be social rent and 20% shared ownership. The affordable housing will be provided in a mix of houses and apartments with 42 houses and 94 apartments providing a total of 136 affordable units.
- 6.6. The masterplan has been the subject of much consideration and positive discussion at pre-application stage and has resulted in the variation to the parameter plans through the resolution to approve application 18/02231/VAR in order to remove dwellings out of the flood plain that lies broadly along the south eastern boundary of the site and to enhance the overall layout. The layout principally has dwellings fronting onto Armstrong Road and the internal road layout within the site, with houses broadly being provided to the west of the site and blocks of apartments to the south east following the shape of the site and the position of the watercourse beyond.
- 6.7. The development proposes 2.581ha of public amenity space, which is to be provided as a continuous belt around the perimeter of the site along the western, south western, south eastern and north eastern boundaries of the site, providing space for play and walks.
- 6.8. The landscape strategy for the site retains the existing natural landscape features within the site, including the wooded copse to the west of the site that's located between the Sandford Road and the Armstrong Road as well as the extensive tree planting that is situated around the perimeter of the site alongside Littlemore Brook to the south east and adjacent to the hospital to the north east, in the area of the former burial ground. The areas alongside the existing tree belts are proposed as landscape buffers and as open space and woodland children's play area.
- 6.9. A design and access statement has been submitted and updated as part of the application and this sets out the appearance of the proposed development, including the proposed palette of materials including a combination of grey/brown bricks with light buff bricks, and clay tiles and stone cills and coping. This has been updated as the original submission included aluminium coping and faux clay tiles which were not considered acceptable.

7. RELEVANT PLANNING HISTORY

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

14/02940/OUT - Outline planning application (with all matters reserved) seeking permission for up to 270 residential dwellings of 1 to 4 bedrooms on 2 to 5 floors to incorporate a maximum of 104 houses and 166 flats. Provision of car parking, cycle and bin storage, landscaping and ancillary works. (Amended plans and additional information). **APPROVED** 31st March 2016.

14/02940/NMA - Non-material amendment to planning permission
14/02940/OUT to allow variation of wording to condition 3.. **APPROVED** 19th April 2017.

14/02940/NMA2 - Non-material amendment to planning permission
14/02940/OUT to allow a split between houses and flats to be amended to increase the maximum number of flats by 12 and reduce the maximum number of houses by 12 and to include 1 x 5 bed affordable unit.. **APPROVED** 16th August 2018.

18/02231/VAR - Variation of condition 3 (approved plans and documents) to revise indicative parameters plans and condition 18 (noise levels) to revise residential noise levels of planning permission 14/02940/OUT as varied by 14/02940/NMA and 14/02940/NMA2 (Outline planning application (with all matters reserved) seeking permission for up to 270 residential dwellings to incorporate a maximum of 92 houses on 2 to 3 floors of 1 to 4 bedrooms with one dwelling being a house with 5 bedrooms and 178 flats of 1 to 4 bedrooms on 2 to 5 floors. Provision of car parking, cycle and bin storage, landscaping and ancillary works. (Amended plans and additional information).). **RESOLVED TO APPROVE AT EAPC FEBRUARY 2019, SUBJECT TO VARYING THE S106. PENDING CONSIDERATION**

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 CP8 CP9 CP10 CP13 CP14	CS13 CS18	HP9		RE2 DH1 DH5
Conservation/ Heritage	184-202	HE2 HE3 HE7				
Housing	59-76	CP6	CS2 CS22 CS23 CS24	HP2 HP3 HP11 HP12 HP13 HP14	Affordable Housing and Planning Obligations SPD; Balance of	H1 H2 H4 H10 H14 SP45

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents	Emerging Local Plan 2036*
				SP30	Dwellings SPD	
Commercial	85-90					
Natural environment	133-147 148-169 170-183	CP11 NE15 NE16 NE20				G2
Social and community	91-101					
Transport	102-111	TR1 TR2 CP13	CS14	HP15 HP16		M1 M3 M4 M5
Environment	117-121	CP17 CP19 CP20 CP21 CP22 CP23	CS9 CS11 CS12			RE1 RE3 RE4 RE6 RE8 RE9
Misc	7-12	CP24 CP25	CS17 CS19 CS28 CS30 HP11 HP12	MP1		S1 S2

* 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 25 October 2018 and an advertisement was published in The Oxford Times newspaper on 1 November 2018.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection subject to conditions.

Oxfordshire County Council (Waste)

9.3. No objection

Environment Agency

- 9.4. We would hope that as long as the proposed details comply with the planning conditions we requested on the outline planning permission, together with any advice provided in our consultation response, that the submitted details would be sufficient for you to determine the application.

Natural England

- 9.5. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Oxford Civic Society

- 9.6. Oxford Civic Society welcomes the highly detailed content of the Design and Access Statement. The implementation of the scheme approved in the outline planning permission has been generally well thought out.

Our concerns are mainly to do with potential traffic congestion, public transport, and the provisions for pedestrian and cycle access. With regard to the latter, we trust that there will be firm enforcement of the condition requiring pedestrian and bicycle access from the site across the brook to the Science Park to be provided within six months of the first occupation. However, the possible off-site connection to St George's Park (page 75) has been firmly ruled out by the owners of St George's Park.

With regard to the significant increase in traffic of all kinds that can be expected from the development, we support the proposal of the Littlemore Parish Council that parking restrictions need to be strengthened and we urge that the Highways Authority review the existing provision of single and double yellow lines with a view to ensuring the smooth passage of traffic on Armstrong Road and Sandford Road.

While the financial support for bus services is welcome, it is very short-term at one year's duration. This is not sufficient to allow for the sustainability of a free-standing service to be demonstrated. A considerably longer period of financial support should be required.

Littlemore Parish Council

- 9.7. Littlemore Parish Council appreciates the effort made by Catalyst Housing in consulting residents during the design process. We also note that they have kept the Parish Council fully informed as the design has progressed.

Our concerns centre on the infrastructure rather than the details of the design. The sum which will go towards bus services is a one-off for the first year. We would like an assurance that any improvement to this already inadequate service be made permanent. An additional 270 properties will inevitably add to existing traffic congestion in surrounding streets. More buses would be a welcome commitment to transport sustainability.

Armstrong Road is lined with cars during the working day, parked there by staff of the hospital on the other side of Sandford Road. There are no parking restrictions on Sandford Road itself, and vehicles park on the verges, sometimes blocking pavements. We ask that the highways department give careful thought to the need for more parking restrictions. More pedestrians and cyclists will use these roads and pavements when the estate is completed, and there is likely to be more demand for on-road parking by residents and visitors. We also ask that a bike lane be included along Armstrong Road to accommodate increased bike use - see below.

The Parish Council welcomes the condition requiring pedestrian and bicycle access from the site across the brook to the Science Park. At present the access is through the Minchery Farm estate (pedestrian and bicycle only) or via Sandford-on-Thames and Grenoble Road.

We note that a possible off-site connection has been indicated at the northernmost point of the site alongside the railway. This was included in the first published draft layout at the outline planning stage. It leads onto St George's Park, a privately owned estate built on the site of the former Littlemore Hospital. There is no right of way across this land and no access exists there. There was an outcry and the suggestion was immediately dropped. We are concerned that it has crept in again.

Public representations

- 9.8. 3 people commented on this application from addresses in St Georges Manor, Apsley Road on behalf of Cyclox, and comments from SGP Oxford Management Ltd (freeholder of St Georges Park)
- 9.9. In summary, the main points of comments are:
- The masterplan shown on the planning portal do not appear to include the proposed pedestrian links through to the Oxford Science Park, Minchery Road and potential station on the Cowley Branch Line.
 - Planning application 17/03419/FUL contained a section 106 agreement, within which requires a pedestrian/cycle link. Assuming this requirement of the section 106 agreement has been fulfilled then the council should ensure Catalyst provide a Pedestrian/Cycle Link to the same point on the boundary to enable a link to the Science Park (and beyond). This would be beneficial to employees of the Science Park who plan to live in the Littlemore Park development, and the nearby Littlemore Area.
 - A possible off-site connection is shown to the north of the proposed development to St George's Park. St George's Park is private estate and all the gardens; pathways and roads are maintained through our service charges. There is no public right of way. We have not had any discussions with the developer to offer any access and would refuse if we were asked to do so.
 - Cycle access - This site is bounded by the A4074, the Cowley railway line, and Littlemore Brook. It will feel isolated and cut off, like so many other city communities that are outside the ring road. Easy access by cycle and foot is essential. There are two exits to the site marked as 'Possible off-site connections' in the Street Hierarchy page in section 10 of the master plan

strategies. We object to this proposal unless those exit sites are created as the current limited access will just emphasise that sense of being disconnected and segregated

- Object to the cycle parking provision proposed in this planning application as less than the higher specification HP15 in the Sites and Housing DPD Proposed Submission
- As well as the numbers of cycle parking spaces for residences the quality of provision must reach excellent standards. The cycle stores must be covered and secure to avoid theft and vandalism.
- To be compliant with accessibility legislation, at least 10% of the spaces must be suited to nonstandard cycles. Cycle parking needs to take into account all user needs, so as not to exclude or disadvantage riders of certain types of cycle. This includes people who use handcycles, tricycles, tandems, trailers and models adapted to suit the rider's specific needs, as well as cargo cycles (See reference 3 The London Cycle Design Standards). Given that these buildings are expected to have at least a 30-year life span this will take us into a fossil free future where cycling (and electric cycling) will have the highest model share.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Affordable housing
- Housing mix
- Site layout, scale, character and appearance
- Trees and landscaping
- Residential amenity
- Impact on neighbouring amenity
- Impact on designated heritage assets
- Highways
- Flooding and drainage
- Noise
- Biodiversity
- Air quality
- Energy strategy

a. Principle of development

10.2. The principle of the developing the site for 270 residential units has been established through the granting of outline planning consent 14/02940/OUT, and the subsequent variation of the outline approved at EAPC February 2019.

10.3. The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development (paragraph 11). It promotes the effective use of land to meet the need for homes while safeguarding and improving the environment and ensuring safe and healthy living conditions. In order to achieve this aim, it encourages the development of under-utilised land where

it would meet an identified need for housing where land supply is constrained (paragraphs 117 & 118)

- 10.4. More significantly, the NPPF places great emphasis on the Government's objective to significantly boost the supply of homes, recognising that this requires a sufficient amount and variety of land to come forward where it is needed, and that land with permission is developed without unnecessary delay (paragraph 59). Moreover, local authorities should identify sites suitable for housing, including specific, deliverable sites for a five year period (paragraph 67).
- 10.5. The Oxford Core Strategy supports these objectives. Policy CS2 makes clear that development will be focused upon previously developed land, with greenfield sites only allowed where they are specifically allocated for that use within the Local Development Framework or required to maintain the five-year rolling housing-land supply set out in Policy CS22.
- 10.6. The site has been specifically allocated for residential development within the Sites and Housing Plan under policy SP30 as part of the Council's five-year supply of housing and to meet the overall housing need set out within Policy CS22 of the Oxford Core Strategy 2026. The site will therefore contribute to meet Oxford's housing needs. The site is also allocated in the emerging Oxford Local Plan 2036 policy SP45 on the same basis as Sites and Housing Plan policy SP30 but with an additional requirement for a flood risk assessment. It is noted that the outline consent was accompanied by a flood risk assessment.
- 10.7. Matters relating to the employment allocation for the site have been dealt with by legal agreement as set out in paragraph 3.2 of this report; this arrangement is not changed by this application.
- 10.8. The principle of development is therefore still considered to accord with these aims despite the fact that it has already been accepted through the grant of outline planning permission.

b. Affordable Housing

- 10.9. Affordable Housing is secured via the Section 106 legal agreement associated with the outline consent. The details in this reserved matters application comply with the requirements in providing 50 per cent on site affordable housing, i.e. 136 units of the total 270 units.
- 10.10. The location of the Affordable Housing units, the mix of social rent and shared ownership, and the numbers for each tenure type are submitted with the application. Officers note that the affordable units are evenly distributed throughout the site, with no concentration in any area, with both houses and apartments being provided as affordable in amongst open market sale units with equal proximity to open space and children's play areas. This provides a good balance between convenient clustering for management and integration of affordable units into the wider development. The natural assets of the site, its location and the strong public realm strategy mean that there are no 'bad

locations' on the site and so the affordable housing proposal is considered to be positively designed to achieve a balanced community.

- 10.11. The proposed affordable housing mix as required by the S106 attached to approval 14/02940/OUT, the subject of the variation application 18/02231/VAR varies the mix of 2 and 3 beds. At present the requirement is to provide 80/20% social housing /intermediate as a specified mix of bedroom types. However, whilst the 80/20% social rent/intermediate housing remains, the mix of units changes to reflect a greater need for 2 beds and 4 beds, providing a lower number of 3 beds.
- 10.12. This matter has been the subject of pre-application discussions that have taken place with the Council's Affordable Housing team in this regard and the proposal is to their satisfaction in meeting current housing need. As stated this reflects priority housing need with its emphasis on 2-bedroom units and 4-bedroom units. The 2-bed units are designed for 4 people and the 4-bed houses for 7 people, which optimises use of the units and enhances their sustainability from an allocation point of view as they allow a degree of household growth.
- 10.13. Policy H4 of the emerging Local Plan 2036 is relevant and states that planning permission will be granted for residential development that is demonstrated to deliver a balanced mix of dwelling sizes to meet a range of housing needs and create mixed and balanced communities. It states for the affordable element there will need to be 20-30% 1 bed homes, 30-40% 2 bed homes, 20-40% 3 bedroom homes, 5-10% 4 bedroom homes and 3-5% 5 bedroom homes.
- 10.14. The proposed affordable housing mix meets with this in respect of the 3 and 4+ beds, but not with the 1 and 2 beds, where there is an undersupply of 1 beds and an oversupply of 2beds. However, this is an emerging policy only and therefore is accorded limited weight. Further as stated above, the mix is a result of discussion with Housing department who support the proposed mix. The proposal has already been approved by the East Area Planning Committee and as part of that resolution is currently in the process of being drafted into a varied legal agreement as part of application 18/02231/VAR.

c. Housing Mix

- 10.15. Policy CS23 of the Core Strategy states that planning permission will only be granted for residential development that delivers a balanced mix of housing to meet projected future household need as set out in the Balance of Dwellings SPD.

Balance of Dwellings SPD and Outline Planning Mix Comparison with Reserved Matters Mix

SPD RANGE			PROPOSED OVERALL MIX		
1 Bed	27 - 41	10-15%	1 Bed	24	9%
2 Bed	67 - 82	25-30%	2 Bed	162	60%
3 Bed	107 - 149	40-55%	3 Bed	56	21%
4+ Bed	27 - 41	10-15%	4+ Bed	28	10%
TOTAL	270		TOTAL	270	

- 10.16. The proposed mix does not comply with the SPD for reason that the percentage of 2 beds is significantly greater than the SPD requirement and the percentage of 3 beds is under provision of the requirement. The higher proportion of 2 beds and lesser number of 3 beds has been a result of having a lesser buildable area than the original outline permission, given the position of the flood plain, and in order to maintain the overall number of 270 houses across the site, to maintain the 50% affordable housing provision and to meet the current need for a higher number of affordable 2 bed units, it was considered necessary to pursue a different mix.
- 10.17. Overall, it is considered that the rationale as set out for this revised housing mix is acceptable as a material consideration to this proposal, but yet still provides a reasonable mix of housing consistent with the overall aims of policy CS23 and with the first part of emerging policy H4 of the Oxford Local Plan 2036.

d. Site layout, scale, character and appearance

- 10.18. Paragraph 127 of the NPPF requires new development to function well and add to the overall quality of the area; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history, including the surrounding built environment and landscape setting; establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- 10.19. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design that responds appropriately to the site and surroundings; creates a strong sense of place; attractive public realm; and high quality architecture. The Oxford Local Plan 2001-2016 requires development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP6 emphasises the need to make an efficient use of land, in a manner where the built form and site layout suits the site's capacity and surrounding area. Policy CP8 states that the siting, massing, and design of new development should create an appropriate visual relationship with the built form of the surrounding area.
- 10.20. The site lies on the perimeter of Littlemore, on the edge of the city and is a greenfield site being formerly part of the Littlemore Hospital grounds. The site has a number of natural landscape features and positive pre-application discussion and review with ODRP has focussed on the need for the scheme to respond positively to those features and enhancing those opportunities. This has resulted in a scheme that is less rigid in its layout and reflecting the existing landscape character, change in levels and context of the site.
- 10.21. Site layout: The proposed site layout proposed is anchored by Armstrong Road that runs along the northern perimeter of the site but with a more natural curved and less rigid alignment of the street network within the site. There are 2 access points from Armstrong Road which enables a secondary road loop for future bus services to access and move around. Dwellings are aligned fronting onto Armstrong Road and the roads within this site creating a legible

and permeable site which has clear routes throughout the development. This provides ease of access to key features such as the woodland play areas and amenity spaces. The hierarchy of streets distinguish clearly between the primary routes, such as the main entrance and connection from along Armstrong Road, and minor roads within the site. Given the shape and constraints of the site, the use of cul-de-sacs is unavoidable, however, perimeter blocks has been used where possible to enhance connectivity, provide surveillance of public areas and to follow good urban design principles. Adjacent to the apartment blocks are areas of car parking but these benefit from public surveillance and thus are not considered to be unsafe. Pedestrian routes through the site and to the public open space areas are strong

- 10.22. Condition 10 of the outline permission 14/02940/OUT requires that the reserved matters application shows a site layout plan that incorporates space for a potential pedestrian and cycle access to be created through to the Science Park, Minchery Road or any potential station on the Cowley Branch Line. To that end a movements plan shows two routes through to the Science Park and through to space adjacent to the Cowley Branch Line that would meet with the requirements of this condition. It is fully expected that this condition is repeated on the approved variation application 18/02231/VAR.
- 10.23. The requirement for the footpath links is also required in the S106 as an obligation. This element is not being amended in the proposed deed of variation and remains extant as a requirement on the s106 to provide.
- 10.24. Footpaths along Armstrong Road will be provided on the northern boundary of the site, on the southern side of Armstrong Road, save for adjacent the copse near to the junction with Sandford Road. A footpath will be provided nonetheless internally through the copse in this area.
- 10.25. Having regard to Secured By Design comments by Thames Valley Police with regard to measures to minimise opportunities for crime, some alterations have been made to the layout and these are considered acceptable. These amendments comprise enhancement of defensive spaces around the entrances to the flats to provide a buffer and deter intruders and incorporating strips of land into gardens to maximise the greatest efficiency of land and to minimise opportunities for leakages. 3 plots have been amended to increase surveillance onto public space.
- 10.26. Scale: The scale of the development varies across the site and is considered to respond to the varying character areas that are displayed.
- 10.27. Along Armstrong Road, at the entrance into the site and within the core of the site within the central area, the proposed dwellings are three storey in height and laid out more formally with the design intention that the layout and built form responds to old hospital buildings that the site faces. To the west of this area, where the site abuts the copse and addresses the western edge of the site, the scale reduces to two storey to reflect a more informal vernacular and domestic style of architecture that reflects building form in Littlemore and Sandford.

- 10.28. By contrast building form changes to the east of the site where the scheme introduces a contemporary line of five storey apartment blocks within a landscaped, waterside setting being adjacent to the Littlemore Brook and swathes of green and wooded open space. Here the context of the site is of a lower land level as the site slopes down to the brook and it lies adjacent to Oxford Science Park, which itself incorporates taller and larger blocks of similar scale.
- 10.29. The scale of buildings within the site is considered to be appropriate to the site's context and provides variety and interest without appearing dominant in their proportions. The relationship of houses to blocks has also been considered to be appropriate and not appear out of character or jar as it is viewed internally and from externally through the site.
- 10.30. Appearance: The buildings have been designed to respond to the varying characters of the site and its context.
- 10.31. The buildings within the more formal central area fronting onto Armstrong Road adjacent to the hospital, and the secondary road are of three storey flat roof brick buildings of a contemporary appearance to reflect the more formal Victorian hospital building and pavilion houses opposite. These houses are arranged principally as semi-detached buildings with a recessed vertical downpipe to retain the vertical emphasis and proportions of the building. These formal buildings and contemporary take on a pavilion house is repeated in this central area to the terraced houses, as well as the short row of terraced houses to the north east of the site. The fenestration is designed to follow the ordered proportions to that on the hospital.
- 10.32. To the west of the site the 5 two storey dwelling houses that front the Copse have been designed to appear as a contemporary take of a traditional alms house, constructed in brick with a clay roof tile with a staggered roof line. Simple flat roofed dormer windows breaking the eaves are proposed. Parking is proposed as integral to the house. Housing addressing the western edge are more low key and informal in appearance but with a contemporary treatment of the fenestration with large openings. These have been proposed with a simple banking around the frontage above the front door and window and a recessed downpipe separating the pairs of semis.
- 10.33. The Waterside Apartments are flat roofed and contemporary in appearance. This is a conscious response to the more bold and contemporary form of architecture displayed on the neighbouring Oxford Science Park and draws from precedents of the gridded architectural language displayed on college buildings within Oxford, including St Catherines College. These buildings are of brick construction with recessed balconies with brick detailing/rustication within panels to provide visual interest and variation. Blocks A and D feature undercroft parking at ground floor level with accommodation above. Bin and cycle storage is also included within this area too.
- 10.34. Officers consider this to be successfully demonstrated and the contemporary take on the building forms proposed along with the architectural language and appearance of the buildings responds to the

varying elements and context of the site creating a development that makes a positive contribution to the site. The proposal under consideration, is the result of a thoughtful design process, and is an exciting, contextual response to the site. The architectural language that has been created reflects the industrial heritage of the site. The design of housing typologies with integrated car parking and amenity areas at high density is welcome and the realignment of the illustrative masterplan to provide dwellings with views across the water is successfully articulated.

- 10.35. The development complies with the relevant local plan policies and with the NPPF in relation to design, policy CS18 of the Core Strategy, policy HP9 of the Sites and Housing Plan and emerging policy DH1 of the Oxford Local Plan 2036.

e. Trees and Landscaping

- 10.36. Policy CP11 of the Oxford Local Plan states that planning permission will only be granted where the landscape design relates to the function and character of the spaces and surrounding buildings and existing trees, shrubs, hedges and water features of significant landscape values are incorporated alongside new planting, amongst other criteria. Policy NE15 of the Oxford Local Plan states planning permission will not be granted for development proposals which include the removal of trees, hedgerows and other valuable landscape features that form part of the development site, where this would have a significant adverse impact upon public amenity or ecological interest.
- 10.37. Policy NE16 of the Oxford Local Plan states planning permission will not be granted for any proposal that destroys or involves major surgery to protected trees if it will have a significant adverse effect upon public amenity. Any protected tree that is destroyed must be replaced by a tree or trees suitable for the location.
- 10.38. The site is a greenfield site which has been out of use since the hospital closed and the site is largely overgrown and is dominated by groups of trees and vegetation. Evidence of existing 19th Century tree planting is still present particularly with the Copse to the west, the burial ground to the north east and then along the boundaries of the site. These trees are principally being under the protection of a Tree Preservation Order. Within the site itself are a number of trees that are not protected.
- 10.39. An Arboricultural Impact Assessment has been undertaken and the survey identified 218 individual trees and 41 tree groups across the site. The implications of the proposal will necessitate the removal of 110 individual trees and 11 complete groups of trees. None of these trees are category 'A (high)', 22 trees are category 'B' (moderate) and 97 are category 'C' (low) and 2 are 'U' (poor). Additionally part of 2 groups of trees along the south western boundary and along Armstrong Road will need to be removed too. The loss of the line of semi-mature lime trees that stand along the Armstrong Road is a significant arboricultural implication of the proposal as these are establishing trees planted at 12-14m spacing's with the potential to add significant

landscape value to the street scene as an element of immediate semi-maturity.

- 10.40. The majority of the trees identified for removal are internal to the site save for those trees along Armstrong Road. Subsequently officers consider that the proposed layout respects and responds to the green buffers around the south-western boundary to the A4074, south-eastern boundary along the Littlemore Brook, the north-eastern boundary, and the 'copse' at the junction of Armstrong Road and Sandford Road. Nonetheless the Landscape Statement sets out a comprehensive design, which is successful in retaining the site's principal arboricultural features and in enhancing the site's existing landscape characteristics and significant tree planting is proposed throughout the site as well as landscape measures to maintain and enhance the green and sylvan character of the site.
- 10.41. New tree planting proposals are substantive and generally highly appropriate; a wide palette of species has been selected for the different areas and land uses of the proposed layout. The species list is predominantly native but it is also judiciously augmented by a scattering of ornamental exotic species intended to provide additional visual interest, e.g. introducing strong autumn colours and other seasonal interests. Tree species have been selected appropriately in response to the different functions and space requirements of each area of the site; crown forms and ultimate growth potentials responds appropriately to these different performance requirements.
- 10.42. In terms of a tree planting strategy, new tree planting is proposed to enhance the existing wooded copse. Native Hornbeam and Yew woodland species will be used. A six species rich native hedgerow planting is proposed for the Sandford Road boundary; this will strengthen the security of the site, establish and appropriate rural character to the site edge and provide bio-diversity enhancement.
- 10.43. Along Armstrong Road, in the vicinity of the copse English oak trees will be planted to enhance the existing roadside trees in this location. Further along this road lime trees currently dominate. Where the lime trees are removed they are to be replaced and the avenue extended. This extends to the junction with the SAE institute entrance. Here also the lime tree avenue is extended to the new parkland, and this forms a structural and visual link with the existing tree avenue along the SAE entrance drive.
- 10.44. Within the street layout, a mixture of species is proposed to add resilience to planting on the street scene. The trees will be planted in groups of 3-5 and include species such as Rowan, Field Maple and Turkish Hazel. These are appropriate species to plant in the rain garden that is located along the main route. Towards the southern boundary with the A4047 both Scots Pine and Alder will be planted.
- 10.45. Within the car park areas between the apartment buildings will be planted with multi stemmed trees of Rowan, Birch and Field Maple, to maximise the green structure within these spaces.

- 10.46. Along the key entrance points feature English Oak trees planted as marker and wayfinding trees. Also set within the lawns of the park will be individual or small groups of trees such as Cedar of Lebanon, Red Maple and Scots Pine, evoking the Victorian parkland landscape. Native waterside species such as Willow and Alder will also be planted. An orchard of domestic apple and pear species will be planted in the broad grass area next to Block F.
- 10.47. This strategy for tree planting is considered significant and will maintain and enhance the sites existing character and provide a high quality and desirable and attractive landscaped setting to the site.
- 10.48. In terms of the open space, proposed paths form circular walks that are logical and provide site permeability and [potential] link points to surrounding areas. Play and recreation opportunities are created at various locations across the site from open spaces, meadows, river walk and a play area in the 'copse', which has natural surveillance from the cottage range. The design facilitates human interaction with the landscape and wildlife of the site.
- 10.49. Overall, the arboricultural implications of the proposed development are relatively low in scale. Proposed tree removals are generally restricted to the internal parts of the site; green buffers around the boundaries are respected, and significant individual trees and groups are retained. Tree losses can be mitigated by protection measures for retained trees and by replacement planting, resulting in a net gain in tree numbers and quality. The Landscape Statement sets out a comprehensive design strategy, which retains the site's principal arboricultural features and enhances each aspect of the site's existing landscape character, and integrating them into the site's proposed new requirements.
- 10.50. Having regard to the above, the arboricultural implications of the application are considered to be acceptable as they are appropriately mitigated by high quality landscape plans and planting proposals. The ultimate effect should be a significant net landscape benefit to the public realm and local community. The application is acceptable in relation to Oxford Local Plan Policies CS18, CP1, CP11, NE15 and NE16.

f. Residential amenity

- 10.51. In March 2015, the Government introduced a 'Nationally Described Space Standard'. This sets out more detailed minimum standards than the earlier Sites and Housing Plan policy HP12. Policy HP13 sets out standards for outdoor space.
- 10.52. All units proposed comply with the national minimum described space standards and are considered to provide a comfortable, practical layout with built-in storage. In terms of outdoor space, all the proposed houses have private gardens of a good size. Bikes and bin storage for the houses are provided for each property access either through a side gate for the detached and semi-detached houses or through the internal garages to the cottages fronting the copse to the west of the site.

- 10.53. For the apartments, recessed balconies are provided to each apartment compliant with the space requirements set out in policy HP13 of the Sites and Housing Plan. For bins, storage is internally within the building to the ground floor to each apartment building. Cycle storage is also provided at ground floor internally. Internal storage of cycles within the apartments is compliant with secure by design principles.
- 10.54. The S106 requires at least five per cent of the new dwellings to be fully accessible or easily adaptable to full wheelchair use. The applicant confirms that 16 units in total will be provided which is in excess of the 5% requirement, which will be located within the apartment blocks. 5 will be on the ground floor, 5 on the first floor, 2 on the second, 2 on the third and 2 on the fourth. Lifts are included in the design of all 5 apartment blocks.
- 10.55. The proposal would accord with the aims and objectives of Sites and Housing Plan policies HP12 and HP13 and the Nationally Described Space Standard in providing a good level of residential accommodation.

g. Impact on neighbouring amenity

- 10.56. Policy HP14 of the Sites and Housing Plan states that development should provide reasonable privacy and daylight for the occupants of both existing and new dwellings and guards against overbearing development. Policy CP10 of the Oxford Local Plan 2001-2016 requires development proposals to be sited in a manner which meets functional need, but also in a manner that safeguards the amenities of other properties. Policies CP19 and CP21 protect against unacceptable nuisance and noise.
- 10.57. The site envelopes Armstrong Road, with residential occupants residing within converted buildings to the north beyond the site, at Mandelbrote Drive, Littlemore House and St Georges Manor.
- 10.58. The nearest dwelling to the application site is Littlemore House, which is sited on the entrance into Armstrong Road, but the intervening distance between the nearest dwelling within the development proposal adjacent to the copse to this property is 70m with a significant planting between. Further along Armstrong Road the separation narrows to 25m but again the Armstrong Road is an intervening feature. As such it is considered that the development will not demonstrably impact upon their outlook privacy or amenity.
- 10.59. In terms of the occupiers within the development, it is considered that good standards of layout and separation exist within the site to achieve a good quality amenity provision for the occupiers of the development. There are small sections along the western edge where there is overlooking of rear gardens where overlooking will occur from one property into the garden of another. Similarly in the western areas there are shorter rear gardens of 5-7m where it backs onto the nursery. However, this short distance only exists to the west of the site, for reason that the site is more constrained by the nursery and the copse. Throughout the rest of the site, private rear gardens are of a good size of at least 10 metres in depth. As such officers do not consider this

type of mutual overlooking to be unacceptable or harmful. Indeed it is part of the character of this contemporary, medium density development.

10.60. Within the central area off Armstrong Road there is a secondary loop which will provide for regular bus movements which will be noticed by residents fronting the road. However, it is anticipated that such movements will be at slow speed and not unduly perceptible, such that this is not considered to cause undue disturbance to residents.

10.61. The development is therefore considered to have adequately safeguarded amenity for neighbouring and future occupants and results in comfortable relationships between existing and proposed development.

h. Impact on designated heritage assets

10.62. 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.

10.63. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and to preserving or enhancing the character or appearance of conservation areas.

10.64. Oxford Local Plan Policies HE3 and HE7 seek to preserve or enhance the special character and appearance of conservation areas and their settings, and to ensure works to a Listed Building are sympathetic to and respect its history, character and setting. Whilst the wording of these policies does not include the balancing exercise identified in paragraph 195 of the NPPF 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 66 and 72, and they must therefore carry considerable weight in the determination of this application.

10.65. The site formed part of the former parkland grounds to the hospital and the open character and the copse along the entrance to Sandford Road, both contribute in terms of their significance to the setting of the Littlemore Conservation Area which lies to the north east of the site. This setting makes some contribution to the significance of the conservation area, with the surviving parkland trees within the immediate grounds of the former hospital together with the copse at the northern end of the site that contribute to this setting. The significance of the former hospital buildings is derived in part from its visible architecture, from the form and layout of the buildings and the contribution that this makes to the history and development of lunatic asylums. This contribution however diminishes as the topography of the development

site falls away from the Sandford Road down to the brook at its southern edge.

- 10.66. Having regard to the development proposal and the impact on the significance of the conservation area as a heritage asset, it is considered that the retention of the copse importantly ensures that character and appearance from Sandford Road in context of hospital is in part preserved. Having regard to the taller elements at the southern end of the site where the land levels are lower and therefore impact on setting of Littlemore Hospital, as a listed building, is mitigated through careful siting of larger elements of the proposed development. The new buildings will be visible in views from within the curtilage of the former hospital buildings and seen as a glimpsed backdrop from the northern, Sandford Road end of the former hospital site. In these views, the contrasting architecture of the proposed buildings combined with the simple, rectangular massing and considered approach to use of façade materials will offer a recessive backdrop permitting the more exuberant architecture of the former hospital buildings to retain their importance. The setting of the listed building has been significantly altered and the proposed development by introducing buildings as opposed to gardens and parkland will inevitably result in some harm to the historic setting however the design of the proposed buildings, their siting, alignment and the approach to landscape across the site will offer some design mitigation reducing the harm such that any residual harm will be negligible.
- 10.67. Having regard to harm, the proposed development will result in some harm to the setting of Littlemore Hospital in that it results in the introduction of a significant number of buildings rather than the restoration of open gardens and parkland however the harm is small in that the setting of the hospital has already been significantly compromised and much of its important setting is now confined to its immediate curtilage. The design, siting and appearance of the proposed development together with the careful landscape of its external spaces would substantially mitigate the very low level of harm.
- 10.68. The proposed development would not result in harm to the setting of the nearby Littlemore Conservation Area, retaining important views along Sandford Road into the settlement through restoration of the wooded copse that occupies the northern edge of the site where it abuts Sandford Road, by setting larger built elements of the proposal away from the higher ground and providing a considered landscape design that offers important trees and secures the quality of open space along the edge of the brook.
- 10.69. The proposal will result in no harm to significance of heritage assets when assessed in line with paragraph 193 of the NPPF.
- 10.70. The application sets out in its supporting documentation clear and convincing justification for the nature and intensity of development being proposed. The applicant has worked hard to ensure that important elements of the landscape such as the northern copse and the southern brook are preserved and in doing so that other areas of the site are required to work hard. The design rationale is clear and the response to consultation responses has been rigorous and positive

- 10.71. In line with paragraph 194 of the NPPF the applicant has set out a clear justification for the proposed development.
- 10.72. In accordance with policies HE3 and HE7 of the Oxford Local Plan, the development will significantly improve the setting of the surrounding listed buildings and the conservation area.
- 10.73. Special attention has been paid to the statutory test of preserving the setting of listed buildings or their setting or any features of special architectural or historic interest which they possess, and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area in accordance with sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the setting of the nearby listed buildings and enhance the character and appearance of the conservation area and so the proposal accords with sections 66 and 72 of the Act.

i. Highways

- 10.74. The NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement. The Oxford Local Plan 2001-2016 also requires Transport Assessments from development that is likely to have significant transport implications. The NPPF also states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

Traffic Generation

- 10.75. The traffic generation associated with the level of development proposed within the outline application was accepted as part of the approval for that application.
- 10.76. The Local Highways Authority had suggested in their consultation response that despite the principle of development being agreed at outline stage, all matters were reserved and therefore they considered that the traffic generation and impact on the highway network still needed assessing. Officers would make members aware that this is not correct, on the basis that the traffic generation is directly linked to the quantum of development which was approved at outline stage and not altered by the reserved matters application. Despite this fact the applicant has sought to provide further modelling to demonstrate that the development will not have an impact on the local highway network. The updated modelling has looked at the Armstrong Road / Sandford Road junction, A4074 / Henley Road junction, and Littlemore Roundabout. It has looked at current 2018 baseline figures and considered all committed developments up to 2022.
- 10.77. The most significant concern for the modelling related to the impact on Littlemore Roundabout. It identified that the growth in background traffic in the 2022 + committed development model showed that the roundabout would be operating above operational capacity at that point in time. However this is

as a result of general growth rather than the development itself. When that was included there was not a significant increase to the figures and as such the Highways Authority have confirmed that this cannot be adjudged to be deemed a severe impact. Therefore no objection can be raised on grounds of highways impact and the County do not object on traffic generation.

Access

- 10.78. Armstrong Road acts as the sole access road for the development which is controlled by a signalised junction with Sandford Road. Armstrong Road currently has a specific issue with car parking on street with parallel parking along the length of the road as it is utilised by local residents, employees of the hospital and visitors, due to the lack of parking controls operational in this area. In order to improve this problem of indiscriminate parking which causes a problem for congestion, highway safety and hazard for vehicles including emergency and refuse vehicles, the applicant proposes mitigation by way of build outs into the street as well as double yellow lines on the carriageway at its narrowest sections and on bends and junctions. This will be secured through a S278 agreement. OCC Highways advise that in advance the County will need to consult and implement a Traffic Regulation Order. There will also need to be parking controls implemented in order to prevent parking being displaced onto Sandford Road. This will comprise the implementation of double yellow lines 50m north of the junction with Armstrong Road at Morrell Crescent/Mandelbrote Drive, to 50m south of the junction. This will require a Traffic Regulation Order to deliver the double yellow lines which the Highways Authority state will be at the applicants own expense..
- 10.79. The site itself is accessed via three access points from Armstrong Road, which will be appropriate subject to the above-mentioned mitigation measures. The applicant has also indicated the potential connection areas to the Science Park to the south via the north eastern corner, as well as a connection for any future potential branchline. A recently approved development on the Science Park required the provision of a pedestrian and cycle link to Armstrong Road, and therefore the connections through to this site will need to link to that. As they are a requirement of the S106 agreement for the outline requires a route to be specified, then this will be secured through that obligation.
- 10.80. There is an existing footpath on the northern side of Armstrong Road which is to remain, plus a new footpath along the southern side. The Highways Authority has queried why this new footpath does not run all the way along the southern side of Armstrong Road which in their view would help with connectivity. They also point to an informal crossing point near the copse which they consider may not be used given there is no footpath. The concerns of the Highway Authority are not understood. The plans clearly show that a footpath cannot run the full southern boundary, given the fact that the Nursery is outside the site boundary, and also there are substantial trees in the area of the copse. So there are valid reasons for the footpath terminating before the nursery. There is a crossing near the junction with Sandford Road, but this clearly links to the footpaths that run through the copse and so allow for usage, contrary to the Highway Authority comments.

10.81. On the basis of the proposed mitigation, the access arrangements is considered to be appropriate and provide a safe entrance and egress for the development.

Car parking

10.82. There is a total of 368 car parking spaces across the site, providing 308 allocated spaces and 60 unallocated spaces. Site wide this equates to 1:36 car parking spaces per dwelling, although in reality the provision will be 1 space per apartment providing 178 spaces and an additional 21 unallocated spaces for visitors. For the 2, 3, 4 and 5 bed houses there will be a larger ratio of 1.83 across the houses with 130 allocated spaces and 39 unallocated. These car parking spaces will be provided in a mix of on plot, undercroft, on street and within landscaped car parking areas.

10.83. The Local Highways Authority has commented that, whilst the level of car parking is welcomed and in accordance with adopted parking policies and the strategic objective to reduce car use in the city, concerns have been raised in respect of the car parking. These concerns are that the dimensions of the parking bays are below standard (although still being 4.8m x 2.4m dimensions) and concerns have been raised with the usage of the car parking area to the south of the site being under-utilised. This concern is heightened by the edge of city location of the site, where residents may have a higher car ownership and reliance on the car. Thus if there is increased car usage across the site for those reasons, that this may lead to more informal on street parking closer to people's homes, which on an already narrow street could lead to issues with access for refuse and emergency vehicles, as well as on Armstrong Road where there is already informal parallel parking along this road.

10.84. To mitigate against this the applicant proposes a number of measures largely comprising build outs on Armstrong Road and seeking a contribution for a double yellow lines on Sandford Road and Armstrong Road to ensure parking displacement does not occur. This will need to be secured through a S278 agreement between the County and the applicant.

10.85. In addition it is prudent to add that a contribution towards an enhanced bus service from Sandford Road was secured as part of the outline planning application to assist in encouraging people out of cars, in this more edge of city location.

10.86. The car parking proposal is considered acceptable in compliance with policy HP16 of the Sites and Housing Plan subject to the above-mentioned mitigation measures.

Cycle parking

10.87. The Design and Access Statement states that cycle parking will be provided as follows; within the apartment block secure cycle parking will be provided at ground floor level, and for each house, there will be a dedicated cycle store within the rear garden. For visitors, cycle stands will be located near to the

entrance of the apartment blocks. In addition there will be cycle stands provided near the community gardens, burial ground and key open space areas for use by residents and visitors. The cycle parking storage is considered to be well spaced across the site.

- 10.88. In terms of numbers of spaces, there will be a total of 604 spaces across the site and Oxford County Council, which is an amended figure following an increase to 3 spaces per 3+ units to reflect policy HP15. Both the County and City Council are satisfied that the provision and the breakdown between houses and flats meet the standards as set within policy HP15 in terms of the number of spaces.

Construction Traffic Management Plan

- 10.89. A Construction Traffic Management Plan has not been submitted with the application but is a requirement of the outline permission to be submitted.

Travel Plan

- 10.90. A Travel Plan has been submitted with the application for approval under the terms of the condition on the outline permission, which will require further detailed work before approval. An updated travel plan shall be sought by the condition, which takes into account the comments made by county.

j. Flooding and drainage

- 10.91. The NPPF states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere (paragraph 163), supported where appropriate by a site-specific flood-risk assessment. Oxford Core Strategy Policy CS11 states that development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 10.92. The resolution to grant variation outline planning application 18/02231/VAR considered the amendments to the parameter plans to revised the masterplan to resite the proposal outside of flood zone 3, and to site the scheme in flood zones 1 and 2. The reason for this was that the indicative layout put forward with the outline application was expected to be implementable by regrading of the land to deal with flooding issues. This, in effect, would have redrawn the line of the flood zone to accommodate residential development. However, this was not found to be feasible – both financially and in terms of flood risk – nor was it likely to be supported by the Environment Agency and so the built form was moved out of Flood Zone 3 in the developing design.
- 10.93. The revised Parameter Plans put forward sites all residential development outside Flood Zone 3, in compliance with condition 19 of the outline consent. This approach is consistent with the National Planning Policy Framework (NPPF) and local plan policies (including emerging local plan policy RE3, to which only limited weight can be given).
- 10.94. One of the consequences of this is that the developable area of the site is reduced. A revised layout from the outline masterplan was developed to deal

with this constraint and this is the layout now presented in the revised Parameter Plans submitted with this application. Although the developable area is reduced, the revised layout and density are not materially different from the indicative masterplan presented with the outline application. The change is therefore minor in relation to the principles of the outline, but has a benefit in terms of flood risk for future occupants.

10.95. In terms of this reserved matters application, a revised Flood Risk Assessment has been submitted. This states the following:

- The proposed buildings will be sited in Flood Zones 1 and 2
- The proposed FFLs for the majority of the development will be above 58.736m AOD which is 300mm above the predicted Flood Zone 3 climate change level of 58.436m AOD as required by the Environment Agency
- Flood protection barriers will be installed at the entrances to any dwelling which does not achieve a further 300 freeboard above the 1 in 100 plus climate change level
- The flood hazard rating for the south west car park indicates there is a 'danger for most' in the 1 in 100 plus climate change flood event. This car park will be sign posted at the entrance to warn motorists

10.96. Officers have considered the submitted Flood Risk Assessment which accompanies the application and reflects the changes to the parameter plans as amended above, and consider that there is no objection on flood risk. The majority of the development is situated in Flood Zones 1 and 2, in which it is classed as appropriate development. There is some development within Flood Zone 3, some of which is in Flood Zone 3b – which is not in accordance with Policy CS11 of the Oxford Core Strategy.

10.97. However, the development within this area the edge of a car park, and the FRA states negligible changes in ground levels will occur, therefore there is unlikely to be a significant impact of flooding. There are some slight concerns over on site flooding in this area, as the car park is shown as 'Danger to Most' on the EA flood hazard rating map. The FRA states that warning signs will be put up to warn people, however it is recommended that more robust measures are put in place to prevent usage when flooding is likely, and protect people/property. This would take the form of a flood warning and evacuation plan, which would provide measures to monitor flood warnings, and close the car park when likely to flood. Plans would also need to address how to deal with cars parked there so they do not get damaged/stuck/wash away. This can be addressed through a condition attached to any consent to address this.

Drainage

10.98. Having regard to drainage, the surface water drainage strategy splits the site into 2 catchments, each of which utilises a variety of SuDS features to manage surface water runoff, before discharging to the Littlemore Brook at Greenfield Rates. Whilst it is normal to generally avoid tanks, this would need

to have been established at outline stage. Despite the inclusion of tanks, it is appreciated that good use of other surface SuDS features such as permeable pavements and rain gardens.

- 10.99. Further geotechnical investigation has been scoped, in order to inform the final design of some of the SuDS features. Options have been given as to the permeable paving and rain gardens drainage via infiltration, or perforated pipe/under draining. The 'worst case' of no infiltration has been modelled, therefore there are no concerns about feasibility of the system on this aspect. A final design should be submitted and approved when the results of the geotechnical investigation have been obtained.
- 10.100. The SW system has been designed to discharge at greenfield rates to prevent increased risk of flooding off site, with attenuation fully achieved within the tanks, therefore not increasing flood risk on site. Whilst the attenuation tanks are situated within the flood zones, measures have been taken to prevent adverse effects in times of flood, such as modelling the systems as surcharged to the flood levels, and sealing manholes in the flood zones. It should be confirmed that the tanks will also be sealed in order to prevent ingress of flood water, or groundwater as observed at high levels.
- 10.101. Maintenance activities for the drainage systems are provided, however this should be provided as a standalone document, which may be passed on to whoever undertakes the maintenance, so they don't have to scan the drainage strategy. It should also be clarified as to who will be undertaking the maintenance (as per LLFA standards).
- 10.102. In summary, there is no objection to the drainage strategy, the principles are agreed, however further information secured as a condition should be ascertained to provide the results and analysis of the geotechnical investigation, and provide details of the final surface water drainage strategy when the potential for infiltration has been confirmed to be feasible or not.
- 10.103. In summary, the details within the proposed layout are justified, and decrease potential flood risk in accordance with policy CS11 of the Core Strategy and emerging policy RE3 of the Oxford Local Plan 2036.

k. Noise

- 10.104. Condition 18 of the original outline consent controls internal sound levels for the houses and flats to safeguard residential amenity. The condition included a requirement that "no single noise event [shall] exceed 45dB L_{Amax} as recommended in the approved Noise Assessment". The requirement was derived from the noise assessment submitted with the outline application. Current guidance is *not* to set a maximum limit on single noise events as this is very difficult to comply with. For instance, 'noise events' such as slamming a door could breach such a limit.
- 10.105. The applicant is seeking to amend condition 18 of the variations scheme to the outline so that noise levels and the safeguarding of residential amenity in relation to noise are controlled in a way that complies with current guidance.

Noise Impact Assessment and Survey, Hann Tucker Associates 24103/NIA1/Rev1, dated 26 July 2018 was submitted with this application to set out the proposed approach. Officers agree that the most relevant noise parameter is the overall noise level, rather than one-off noise events, as the means of securing acceptable noise levels for residents. Nevertheless, the revised condition wording proposed would still control single noise events but via an average during the night (23:00 to 7:00), not an absolute limit.

10.106. The proposed amendment to condition 18 is a suitable form of words to secure acceptable noise levels and safeguard future residents which is in line with the NPPF, local plan policies (including emerging local plan policy RE8, to which only limited weight can be given) and with current guidance.

I. Biodiversity

10.107. The NPPF makes clear that new developments should minimise the impacts upon biodiversity and take the opportunity to incorporate biodiversity enhancements. There is also legislation and European directives to avoid harm to biodiversity interests and to have regard to conserving habitats. At a local level Oxford Core Strategy Policy CS12 states that

- Sites of Special Scientific Interest (SSSI) must be protected from any development that would have an adverse impact.
- No development should have an impact upon a site that is designated as having local importance for nature conservation or as a wildlife corridor; and
- Species and habitats of importance for biodiversity are protected from harm, unless the harm can be properly mitigated

10.108. The impacts of the development of this site was assessed as part of the outline application and condition 11 of the approval as well as the S106 required an Ecological Mitigation, Compensation and Management Plan (EMCMP) to be submitted. This has been undertaken and provided and that condition has been formally discharged in respect of the requirements to improving biodiversity across the site, and the specific matter of trapping and relocating reptiles from the site.

m. Air quality

10.109. Policy CP23 of the Oxford Local Plan 2001-2016 prevents development that would have a net adverse impact on air quality.

10.110. A revised Air Quality Assessment has been submitted with this reserved matters application and officers conclude that based on the review of the documents, that air quality does not pose a constraint to development of the site as proposed, subject to conditions controlling dust emissions in construction phase and requiring electric vehicle charging points for all houses with driveways and that the amount of electric car charging points should cover at least 10% of permitted parking for the development as well as ensuring there is appropriate cable provision to prepare for increased provision in the future

n. Energy strategy

- 10.111. Core Strategy Policy CS9 states that all developments should seek to minimise their carbon emissions and should demonstrate sustainable design and construction methods and energy efficiency through design, layout, orientation, landscaping and materials. The proposal exceeds the threshold for “qualifying developments” and so it must achieve the target of 20 per cent renewable or low-carbon energy and incorporate recycled or reclaimed materials.
- 10.112. Condition 15 of the outline consent required an energy statement to be submitted and this was duly submitted detailing that energy reduction measures would be achieved through the installation of PV across the site. In addition, the fabric of the construction would incorporate energy efficient building fabric and insulation to all floors, walls and roofs, there will be double glazed windows, high efficient heating systems and low energy lighting through the site. Officers consider the package of measures will meet the 20% target as set by policy CS9 of the Core Strategy.

11. CONCLUSION

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

Compliance with Development Plan Policies

- 11.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with those policies.
- 11.4. The characteristics of the site and its unique location require a bespoke approach to design that reflects its heritage and setting, and it is considered the applicant and their team have achieved this. The design has evolved considerably since the outline planning application into a landscape led scheme with a strong architectural language that responds positively to this

edge of location site, continuing to provide accessibility through the site and addressing the existing issues with parking along Armstrong Road.

- 11.5. In summary, the proposed development would make an efficient use of a site which has been allocated for housing as part of the Council's five year housing supply and therefore deliver much needed affordable and market housing to contribute towards Oxford's housing need. The development would help establish a balanced and mixed community. The application has demonstrated that it would not have an adverse impact in highway safety terms. The application contains sufficient supporting information to demonstrate that it would be of a suitable scale and appearance for the site and its setting without having an adverse impact upon the adjacent neighbouring areas, would be energy efficient, and would not have a significant impact upon trees, flood risk, drainage, air quality, land contamination, or noise impact and any such impact relating to these matters could be successfully mitigated through measures secured by condition. The proposal would accord with the overall aims of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2011-2026 as well as regard held to emerging policies contained within the Oxford Local Plan 2036.
- 11.6. Therefore officers consider that the proposal would accord with the development plan as a whole and it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion and issue of planning permission of application 18/02231/VAR and completion of a legal agreement under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

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

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

2. The bin storage as shown on the approved plans shall be installed prior to first occupation of the development and thereafter retained for the purposes of bin storage.

Reason: in the interests of providing suitable refuse provision and visual amenity in accordance with policy CP1 and CP9 of the Oxford Local Plan 2001-2016 and policy CS10 of the Oxford Core Strategy 2026.

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

years shall be replaced.

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

4. Finished floor levels shall be set at a minimum of 300mm above the 1% including climate change annual probability flood level.

Reason: to prevent flooding in accordance with policy CS11 of the Oxford Core Strategy 2026.

5. Notwithstanding the revised and submitted Flood Risk Assessment, prior to the occupation of the development, a scheme for the management of the car park including flood monitoring and warning and evacuation plan, as well as the treatment of the car park in the event of any flood, shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To reduce the risk of flooding and flood damage in accordance with Oxford Core Strategy CS11.

Informatives

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL
2. Environment Agency consent is required for the use of herbicides within eight metres of a watercourse or standing water body. This is to ensure that the herbicides will not have a detrimental effect on the riverine or pond habitat. A copy of the application form can be found on the following link: <http://www.environmentagency.gov.uk/homeandleisure/wildlife/31350.aspx>
3. This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. An environmental permit is in addition to and a separate process from obtaining planning permission. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

13. HUMAN RIGHTS ACT 1998

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

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

East Area Planning Committee

1 May 2019

Application number:	19/00220/FUL		
Decision due by	3rd April 2019		
Extension of time	To Be Agreed		
Proposal	Erection of a single storey side and single storey rear extension. (Amended Plans)		
Site address	1A Mortimer Drive, Oxford, OX3 0RR – see Appendix 1 for site plan		
Ward	Marston Ward		
Case officer	Alice Watkins		
Agent:	N/A	Applicant:	Mr & Mrs Bryan
Reason at Committee	Called in to Committee by Councillors Clarkson, Lygo, Rowley and Fry due to lack of privacy, poor amenity space and damage to trees at 114 Oxford Road.		

1. RECOMMENDATION

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

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

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers the erection of single storey extensions to the east and south elevations of 1A Mortimer Drive. The extension would provide a dressing area and enlarged kitchen/diner which are required to meet the specific personal needs of the occupant.

The development is considered to be appropriately designed and would not have a detrimental impact to the neighbouring properties. There are two Silver Birch trees in the neighbouring garden at 114 Oxford Road which are not protected by planning law. The excavations dug at 1A Mortimer Drive to allow for the

proposed extensions have damaged the roots to these trees. As the trees are not protected and damage has already been caused, it would not be reasonable to object to the application based on the impact to the Birch Trees as the damage caused could not be remedied. The remaining private amenity space to serve 1A Mortimer Drive is considered acceptable. Overall, the development is considered acceptable in accordance with the identified policies and approval is recommended.

3. LEGAL AGREEMENT

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

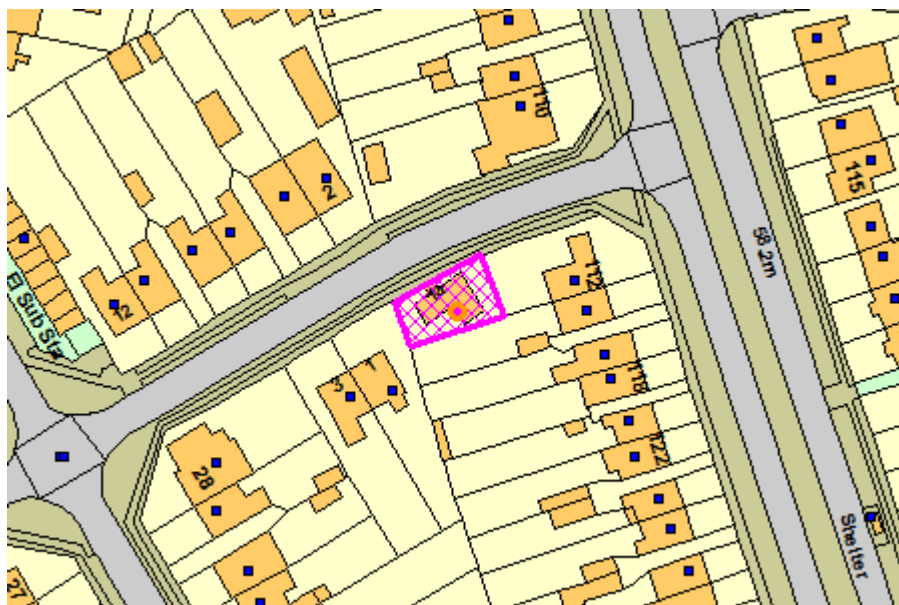
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located in the rear garden of 112 Oxford Road. The bungalow sits on the southern side of Mortimer Drive, adjacent to the boundary of 1 Mortimer Drive. The application site comprises of a single storey bungalow finished with pebble dash and a tiled roof. An area of private amenity space is provided to the south and east of the property. A single off-street parking space is provided to the western side.

5.2. See block plan below:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes the erection of single storey extensions to the south and east elevations to provide additional living accommodation required to meet the occupants personal needs. The extension to the south (rear) extends by 2.5m and features a flat roof with a maximum height of approximately 2.3m. The

extension to the east (side) extends by 4.1m and features a pitched roof with a ridge of approximately 4.1m and eaves of 2.4m. The extensions are to both be constructed from materials to match the host dwelling. The side extension would extend approximately 65% of the depth of the original dwelling.

6.2. The scale of the proposed development has been reduced during the course of the application. The application originally sought consent for the erection of a side extension the full depth of the original dwelling. Officers did not consider this to be acceptable as it would have resulted in the property losing all outdoor amenity space. The depth of the side extension has now been reduced to approximately 65% of the existing properties depth which results in an area of adequate amenity space to serve the one bedroom property.

7. RELEVANT PLANNING HISTORY

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

07/00559/FUL - Demolition of existing garage at rear. Erection of single storey 1 bed dwelling with integral garage, accessed from Mortimer Drive. Refused 1st May 2007.
07/02168/FUL - Erection of single storey detached dwelling at the rear with parking.. Refused 27th November 2007.
08/00587/FUL - Erection of single storey detached dwelling at the rear with parking.. Approved 6th June 2008.

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
Design	12	CP1 CP6 CP8 CP10	CS18_	HP9_	DH1
Natural environment	14, 15	CP11 NE15	CS11_		RE3
Transport	9			HP16_	M3
Environmental	15			HP14_ HP13_	H14 H16

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 25th February 2019 and on 27th March 2019 upon receipt of amended plans.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No comments received

Old Marston Parish Council

9.3. Objections to overdevelopment, concern with flooding, effect on adjoining properties. Asked if this could be called in.

Public representations

9.4. Three public representations were received in response to this application from addresses in Mortimer Drive and Oxford Road.

9.5. In summary, the main points of objection (two representations) were:

- Design of building and extension does not relate to the rest of Mortimer Drive. The extension will extend to the north boundary of the site and be only approximately 90cm from the path in Mortimer Drive. The extension will be forward of the line of buildings.
- Site has already been greatly developed, 112 Oxford Road has been extended by 40% to 45%.
- The foundations of the back of the extension will cut through the roots of 30m tall Beech Trees. North Area Committee meeting on 20th May 2008 set out acceptable distances for tree protection and the back extension will be much nearer than the distances given (4m and 3.24m).
- The trees stand 45cm from the boundary fence. The positions of the trees on the plans submitted are not accurately shown.
- At the North East Area Committee on 20th May 2008, it was stated that for the application to be approved; Design-no addition to Dwelling. There is also a condition on application 08/00587/FUL. Looking at the floor plans for the extension, this would increase the footprint of the bungalow by approximately 70%.
- Distance between 112 Oxford Road and the extended bungalow would be approximately 7m. This would be insufficient and provide poor quality private open space. Both dwellings are classified as separate buildings and this is a small space. OLP 2001-2016 states family dwellings of two or more bedrooms (112 Oxford Road has 4 bedrooms) should have a 10m rear garden. Small open spaces between dwellings is a feature of the estate and should be preserved. The present bungalow and extension will use 60% of the original garden length.

- The rear extension will make the bungalow very dark and use the small patio area. This area is shaded by a 2m high fence and trees.
- New French windows would look directly on the back upper floor of adjacent house (114 Oxford Road).
- Amount of development has impacted drainage and flooding. Any more loss of drainage would not help.
- Concerned about overdevelopment of the land on which the property sits.
- Concerned about risk of flooding; the proposed development is reducing the flood plain and is taking away habitat for wildlife.
- It may increase traffic in an area with high volume of traffic.

1 support comment was received from 1 Mortimer Drive. In summary:

- Fully support the proposal to extend the existing dwelling to house parents making it easier to care and support in the future.
- There has been so much further development in the immediate area since the bungalow was first built therefore do not feel that the property is over-development at all.

Officer response

9.6. The design of the extension, together with the impact on the character and appearance of the area will be discussed later in this report. The amenity space afforded to the bungalow and 112 Oxford Road, together with the impact to adjacent neighbouring properties, will be discussed below. The impact to trees and flood risk are also discussed below.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design
- Neighbouring amenity
- Amenity Space
- Car Parking
- Trees

a. Design

10.2. The application proposes the erection of single storey extensions to the south and east elevations to provide additional living accommodation required to meet the occupants personal needs. The extension to the south (rear) extends by 2.5m and features a flat roof with a maximum height of approximately 2.3m. The extension to the east (side) extends by 4.1m and features a pitched roof with a ridge of approximately 4.1m and eaves of 2.4m. The extensions would both be

constructed from materials to match the host dwelling. The side extension would extend approximately 65% of the depth of the original dwelling.

- 10.3. The side extension would continue the ridge and eaves along from the existing bungalow. The extension would form an appropriate visual relationship with the existing dwelling and would be constructed from materials to match the host dwelling. Due to the single storey height, continued ridge height and limited width, the extension would read as a subservient addition to the original property. The extension would extend by 4.1m, less than half the width of the original dwelling (8.8m), and is considered acceptable in design terms.
- 10.4. The rear extension would feature a flat roof. Whilst this does not reflect the pitched roof design of the side extension or original dwelling, it would be acceptable due to the limited depth and limited views from the public realm. The extension would be sited to the rear of the existing property. It is of an appropriate scale for the existing bungalow and would read as a subservient addition.
- 10.5. Two objection comments have been received in response to the application. The objection states that the bungalow would be closer to the pavement than other properties along Mortimer Drive which benefit from front gardens and as such would breach the building line. The bungalow does not benefit from a front garden and there is currently a very limited set back from the pavement. This has changed the character along this section of Mortimer Drive. The proposed extension would be sited slightly closer to the pavement than the existing bungalow, however, due to the limited depth and single storey height, this is considered acceptable. The side extension would not significantly change the visual relationship between the existing bungalow and the properties along Mortimer Drive. The side extension would be easily visible from Mortimer Drive but would not be more prominent in the streetscene than the existing property.
- 10.6. Both extensions would be subservient to the original dwelling and would be acceptable in design terms. The extensions would reflect the glazing details shown in the host dwelling and would be constructed from matching materials. The proposal would comply with CP1, CP6, CP8 and CP10 of the Local Plan, HP9 of the Sites and Housing Plan and CS18 of the Core Strategy. The development would comply with DH1 of the Emerging Local Plan, although limited weight is given to emerging policies at this stage.

b. Impact on neighbouring amenity

- 10.7. The site shares a boundary with 1 Mortimer Drive and 112 and 114 Oxford Road.
- 10.8. The side extension would not be visible from 1 Mortimer Drive and would therefore have no impact on the light or outlook afforded to this property. The rear extension is a sufficient distance from 1 Mortimer Drive (approximately 7m) so as to not impact the light or outlook afforded to the neighbouring property.

- 10.9. The existing bungalow is located to the rear of 112 Oxford Road. The rear extension would not be visible from 112 Oxford Road and would therefore have no impact on the light afforded to the neighbouring property.
- 10.10. The side extension would be sited adjacent to the rear boundary of 112 Oxford Road. The extension would sit approximately 7m from the rear elevation of No. 112. Due to the single storey height and siting at the end of the rear garden, it is not considered that the building would have an overbearing impact when experienced from 112 Oxford Road. There is sufficient separation between the application site and 112 Oxford Road to ensure that the development would not impact the light or outlook afforded to No. 112.
- 10.11. The bungalow is sited along the northern boundary of 114 Oxford Road, towards the end of the rear garden. The proposed side and rear extensions would also be sited adjacent to the northern boundary. The garden serving 114 Oxford Road is approximately 24m in depth. The rear extension would only be visible when observed from the rear of the neighbouring garden. Due to the distance from the property, it is not considered that the rear extension would be overbearing or impact the light when experienced from 114 Oxford Road.
- 10.12. The side extension would be easily visible when experienced from 114 Oxford Road. The extension would be sited a minimum of 7m from the rear of 114 Oxford Road and would be set away from the boundary by a minimum of 1m. Due to the single storey height, distance from the dwelling and distance from the boundary, it is considered that the proposal would not have an overbearing impact or result in a loss of light or outlook when experienced from the neighbouring property.
- 10.13. An objection comment has been received which raises concern that the new glazing would look onto the rear upper floor windows of 114 Oxford Road and would look onto the whole of 112 Oxford Road. The proposed extensions are single storey in height, the same as the existing property, and the new glazing would look directly onto boundary treatments. The proposal would not introduce any new views into neighbouring properties.
- 10.14. All other properties are a sufficient distance from the site so as to not be directly impacted by the proposals.
- 10.15. The proposed development would not have a detrimental impact on the neighbouring properties, nor would it be overbearing or result in a loss of outlook. The proposal would comply with HP14 of the Sites and Housing Plan and the NPPF. The proposal would comply with H14 of the Emerging Local Plan, which sets out the same requirements as HP14 of the Sites and Housing Plan. The emerging policy is given limited weight at this stage.

c. Outdoor Amenity Space

- 10.16. The proposed rear extension would occupy the patio area to the rear of the site which provides an area of outdoor amenity space. The area to the side of the site where the side extension would be sited provides an additional area of amenity space. Policy HP13 of the Sites and Housing Plan stipulates the amount

of amenity space required for various sizes of properties; however, it does not specify the standard for a one-bed dwelling. The policy does however require developments to provide direct and convenient access to a private area of amenity space and states that it should allow space for a table and chairs or clothes drying space. Following the construction of the proposed extensions, the property would benefit from an area of approximately 13m² of private amenity space. This area is sufficient for a property of this size (one bedroom) and would comply with the requirements of HP13 of the Sites and Housing Plan.

10.17. Policy H16 of the Emerging Local Plan states that houses of 1 or more bedrooms should provide an area of private amenity space of adequate size and proportions for the house proposed, which will be considered to be at least equivalent in size to the original building footprint. The proposed amenity space would be significantly smaller than the footprint of the original building. However, it would meet the current standards in terms of HP13 of the Sites and Housing Plan, and for the reasons outlined above is considered acceptable. The emerging policies have limited weight at this stage and it would not be reasonable to refuse the application based on the requirements of emerging policies at this stage.

10.18. An objection comment has been received which states that the amenity space would be insufficient and of poor quality. It goes on to state that Oxford Local Plan policies require family dwellings of two or more bedrooms to have a minimum of a 10m rear garden. This policy (HS21) has been superseded by HP13 of the Sites and Housing Plan which is set out above. The amenity space afforded to 112 Oxford Road would not be changed by the proposals. The outdoor space serving 1A Mortimer Drive is considered sufficient for the reasons outlined above.

d. Trees

10.19. There are two silver birch trees adjacent to the southern boundary of the site. These trees are prominent in public views from Mortimer Drive. Excavations, for the foundations of the proposed extensions, have already been carried out on site. As a result the roots of the trees have been cut in the area of the proposed rear extension. If the excavations had not already been carried out, an objection would have been raised to the application as the birch trees are prominent in public views and the proposals could be significantly detrimental to public amenity in the area. However the harm to the trees cannot be undone or remediated and on this basis, there is no defensible reason to refuse planning permission based on the impact on the trees. It must be stated that construction began on site by the applicant as they believed the extensions to be permitted development so the damage was not wilful.

10.20. The silver birch trees are not protected under planning law and so there has been no offence or breach of planning legislation caused by the cutting of tree roots. Furthermore, the applicant has a common law right to cut tree roots that trespass across the boundary onto their property.

10.21. An objection has been received from the neighbouring property in respect of the proposal and impacts to the silver birch trees. As the trees are not protected

and no breach of planning legislation has occurred, any damage caused remains a civil matter between the owners of the sites. It would be advisable for the owner of the trees to seek advice from an arboriculturalist about how to manage the trees going forward.

10.22. On the basis of the excavations already being in place and the root cutting having already been carried out, the proposals are considered acceptable in respect of CP1, CP11 and NE15 of the Local Plan and the NPPF.

e. Car Parking

10.22 The property benefits from an existing parking space to the western side of the site. The application proposed to subdivide this area to provide one parking space and an area of private amenity space, however, the parking space failed to meet the minimum standard of 2.5m x 5m. A minor amended block plan was submitted by the applicant on the 8th April which shows the parking area to be retained as existing. The parking area meets the minimum size standard of 5m x 2.5m and is considered acceptable in compliance with HP16 of the Sites and Housing Plan. The proposal would meet the requirements of M3 of the Emerging Local Plan which requires one off-street parking space per house. The emerging policy has limited weight at this stage but in any case, the proposal would comply with the policy.

f. Flooding

10.23 The development is not shown to be at significant risk of flooding from any sources, however, concerns have been raised regarding surface water flooding. The development will increase the impermeable area leading to increase surface water runoff. Therefore, the site should be drained by Sustainable Drainage Systems. An appropriate condition has been recommended to ensure SuDs are used in the development.

10.24 On this basis, the proposal is considered to comply with CS11 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 Purchased Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

11.2. Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development proposals which 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 proposed extensions are considered acceptable in design terms and would not have a detrimental impact on the amenity of neighbouring properties. The development would provide an area of private amenity space adequate to serve the enlarged dwelling. The damage to tree roots has already occurred without any offence under planning legislation and it would not be reasonable to refuse planning permission on this basis. Overall, the development is considered acceptable in accordance with the identified planning policies and in accordance with the NPPF.

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

12. CONDITIONS

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

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

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

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

3 The materials to be used in the external elevations of the new development shall match those of the existing building.

Reason: To ensure that the new development is in keeping with existing building(s) in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4 All Impermeable areas of the proposed development, including roofs, driveways, and patio areas should be drained using Sustainable Drainage measures (SuDS). This may include the use of porous pavements and infiltration, or attenuation storage to decrease the run off rates and volumes to public surface water sewers and thus reduce flooding. Soakage tests should be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches.

Where infiltration is not feasible, surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using

appropriate SuDS techniques and in consultation with the sewerage undertaker where required.

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

The drainage system should be designed and maintained to remain functional, safe, and accessible for the lifetime of the development. Oxford City Council SuDS Design Guide can be found at www.oxford.gov.uk/floodriskforplanning

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

INFORMATIVES :-

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

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.

East Area Planning Committee

1 May 2019

Application number:	19/00508/CT3		
Decision due by	22nd April 2019		
Extension of time	To Be Agreed		
Proposal	Demolition of existing brick sheds, removal of hardstanding, hedge, tree and trellis. Erection of eco sheds in association with pathway resurfacing, insertion of low walls, railings, fencing and gated access. Provision of metrostor bin stores and communal garden with seating and raised planters. Erection of low level wooden bollards to the north elevation. (Amended plans and description)		
Site address	Site Of 2- 32, Green Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Quarry And Risinghurst Ward		
Case officer	Alice Watkins		
Agent:	N/A	Applicant:	Mr James Axford
Reason at Committee	The application is made by Oxford City Council.		

1. RECOMMENDATION

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

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

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers the demolition of the existing brick sheds and the erection of eco sheds and bin stores together with the erection of low boundary walls, fencing and gated access. The proposal also involves landscaping works. The proposal is considered acceptable in design terms and would not detract from the character and appearance of the area. It would not have a detrimental impact

to the neighbouring properties and would provide an improved area of private amenity space to serve the existing flats. The loss of a low amenity value tree is considered acceptable and the development would not give rise to increased rain water run-off. The development is considered to comply with emerging and adopted local planning policies and with the NPPF.

3. LEGAL AGREEMENT

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

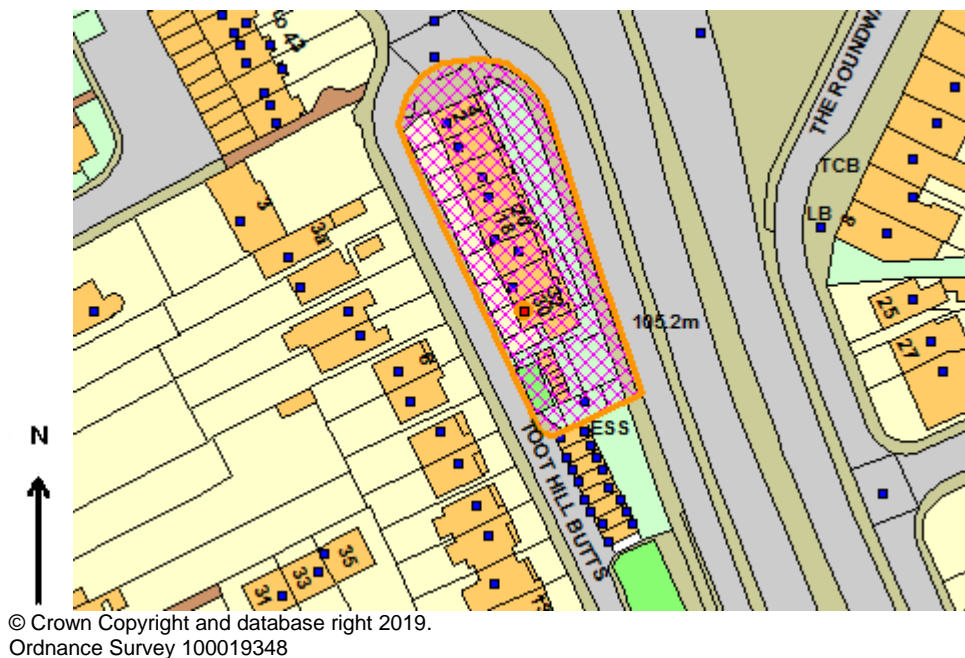
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. 2-32 Green Road is comprised of a four storey block of flats located on the western side of the road, adjacent to the eastern-by-pass road. The flats are finished with pebble dash and buff brick. A block of sheds serving the flats lies to the southern side of the block. An electrical substation is adjacent to the shed block. The area has a predominately residential character.

5.2. See block plan below:



6. PROPOSAL

6.1. The application involves the demolition of the existing shed block and removal of existing areas of hardstanding and boundary treatments/trellises. The application proposes to erect a replacement shed block and to create a new refuse area to the south of the flats. The application also proposes to create a new area of private amenity space to the south of the site which would be shared between all flats. The works involve a number of alterations to the landscaping including the

creation of new pathways and the installation of means of enclosure around the site.

7. RELEVANT PLANNING HISTORY

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

90/01134/GF - Land at 2-32 Green Road - Communal Binstore (Amended Plans showing relocation adjacent to Nos. 30 and 32 Green Road).DEEMED CONSENT15th March 1991.

97/00024/GF - Erection of 1.8 metre timber link fence fronting Toot Hill Butts.. APPROVED 27th February 1997.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

12	CP1,CP6, CP8, CP10	CS18	HP9	CIP1, GSP4	DH1
5			HP14 HP13		H16 H14
15, 16	NE15 NE16		CS11		RE3

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 11th March 2019 and an advertisement was published in The Oxford Times newspaper on 7th March 2019.

Statutory and non-statutory consultees

Natural England

9.2. No comments

Public representations

9.3. No public representations were received in response to this application.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design
- Neighbouring amenity
- Trees
- Flooding

a. Design

- 10.2. The application proposes to demolish the existing shed block together with the removal of the existing boundary treatments. Planning permission is sought for the erection of an eco shed block, installation of bin stores and the creation of an area of private amenity space, together with new boundary treatments.
- 10.3. The existing shed block is not of architectural interest and its demolition would not be detrimental to the character and appearance of the area. The proposed works would alter the appearance of the site by enclosing the area to the south of the site to provide an area of private amenity space.
- 10.4. The replacement shed block would be sited within the enclosed amenity space. It is of a flat roof design with a maximum height of 2.2m. The sheds are of an appropriate design and scale for the site. The sheds would be easily visible from the public realm and would be constructed from recycled plastic and wood composite. The materials are considered appropriate for the site and would respond appropriately to the surroundings. Due to the single storey height and set back of approximately 3.2m from the highway, the structure would not read as a dominant feature in the streetscene.
- 10.5. The proposed bin stores would be constructed from a steel frame with light timber cladding, measure approximately 1.8m in height and would be located to the south of the site. The stores are of an appropriate design and scale for the site and would respond appropriately to their surroundings. Whilst glimpses of the stores would be seen from the public realm, new 1.8m high railings are proposed to surround the bin storage area. Due to the change in ground levels between Green Road and Toot Hill Butts, it is not considered that the stores would be easily visible from street level in Toot Hill Butts. The railings to the bin storage area are considered acceptable in terms of their height and design. Officers recommend that the proposals therefore respond appropriately to the site and surrounding area.
- 10.6. The application proposes to replace the existing trellises and to install new bushberry railings to the front, side and rear of the site. The railings would enhance the character and appearance of the area and are of an appropriate height, approximately 1m, to retain the open character of the site. The new

railings are considered acceptable in design terms and would enhance the appearance of the area.

- 10.7. The landscaping works to create an area of private amenity space are considered acceptable in design terms. The works would enhance the appearance of the area and would make an efficient use of land. The creation of new pathways and installation of benches and planters would not detract from the appearance of the existing flats and would provide good pedestrian access throughout the site.
- 10.8. The proposals would comply with Policies CP1, CP6, CP8 and CP10 of the Local Plan, HP9 of the Sites and Housing Plan, CS18 of the Core Strategy, CIP1 and GSP4 of the Headington Neighbourhood Plan and the NPPF. The proposals would comply with DH1 of the Emerging Local Plan which replicates the requirements of the current policies. Limited weight is currently given to emerging policies.

b. Impact on neighbouring amenity

- 10.9. The proposed bin store and sheds would be located to the southern side of the site. There are no windows in the southern elevation of the block of flats and the proposal would therefore have no impact on the light or outlook afforded to the occupiers of the flats.
- 10.10. The proposed bin stores would be sited along the southern boundary of the private amenity space serving a ground floor flat. Due to the single storey height of the stores and the railings being relatively open, it is not considered that the proposal would be overbearing or result in a loss of outlook when experienced from the ground floor flat. There is an existing 1.8m fence along this boundary and the impact of the proposed railings would be no different to the existing fencing.
- 10.11. The proposed railings would replace an existing high level fencing to the west of the site facing Toot Hill Butts. The proposed railings to the west would be 1.8m in height. This is comparable to the height of the existing fencing and it is not considered that the impact of the proposal would be detrimental to the occupiers of Toot Hill Butts. There is sufficient separation between the rear of the application site and the properties in Toot Hill Butts.
- 10.12. The site currently features a derelict area to the rear and does not provide any outdoor amenity space for the occupants of the flats. The proposal would create a new area of high quality shared amenity space for the occupants which would be an improvement to the current situation on site and would benefit the occupants of the flats.
- 10.13. The proposal is considered to comply with Policy HP14 of the Sites and Housing Plan and the NPPF.

c. Trees

- 10.14. The proposals involve the removal of an existing low quality and value tree that would not be significantly detrimental to public amenity. Care will need to be taken to ensure that retained trees in the highway verge are adequately protected and not damaged during the construction of new hard surfaces. Two conditions have been recommended requiring further details in relation to tree protection to be submitted by condition.
- 10.15. On the basis of the above, the proposal is considered to comply with CP1 and NE15 of the Local Plan and the NPPF.

d. Flooding

- 10.16. The development is not at significant risk of flooding from any sources and the plans do not significantly increase impermeable areas on the site. The Design and Access Statement states that the new path will incorporate a form of SuDs design. Resurfacing works of this type should be permeable to prevent an increase in runoff. A condition has therefore been recommended requiring SuDs to be incorporated.
- 10.17. On the basis of the above, the proposal is considered to comply with CS11 of the Core Strategy.

11. CONCLUSION

- 11.1. Having regard 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 Purchased Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development proposals which 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 proposal is considered acceptable in design terms. It would improve the appearance of the site and would respond appropriately to the surrounding area. The proposals would not have a detrimental impact on the occupiers of the flats or neighbouring properties. The loss of the low value tree is considered acceptable and conditions have been recommended to protect remaining trees on site. The development would not give rise to unacceptable rain water run off and a condition requiring SuDs to be incorporated is recommended. The proposal is considered to comply with CP1, CP6, CP8, CP10 and NE15 of the Local Plan, HP9 of the Sites and Housing Plan, CS11

and CS18 of the Core Strategy, CIP1 and GSP4 of the Headington Neighbourhood Plan and the NPPF.

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

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

- 3 The materials to be used in the development hereby approved shall be as specified in the application. There shall be no variation of these materials without the prior written agreement of the Local Planning Authority.

Reason: To ensure satisfactory visual appearance in the interests of the character and appearance of the area and in line with the requirements of CP1 and CP10 of the Local Plan and HP9 of the Sites and Housing Plan.

- 4 Any ground resurfacing shall be Sustainable Urban Drainage Systems (SUDS) compliant and constructed of permeable materials.

Reason: To avoid increasing surface water run-off and thereby attenuating preventing increase of flood risk in accordance with policies CS11 and CS12 of the Oxford Core Strategy 2011-2026.

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

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

- 6 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.

INFORMATIVES :-

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

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.

Minutes of a meeting of the EAST AREA PLANNING COMMITTEE on Wednesday 3 April 2019

www.oxford.gov.uk



Committee members:

Councillor Taylor (Chair)	Councillor Lygo (Vice-Chair)
Councillor Aziz	Councillor Chapman
Councillor Clarkson	Councillor Gotch (for Councillor Garden)
Councillor Simm	Councillor Roz Smith
Councillor Tanner	

Officers:

Adrian Arnold, Acting Head of Planning Services
Anita Bradley, Monitoring Officer
Hayley Jeffery, Development Management Team Leader
Mike Kemp, Senior Planning Officer
Andrew Murdoch, Development Management Service Manager
Jennifer Thompson, Committee and Members Services Officer

Apologies:

Councillors Garden sent apologies and Councillor Gotch substituted for her.
Councillors Chapman and Clarkson arrived after the start of the meeting.

100. Declarations of interest

Minute 101 - application 18/03287/FUL

The Chair announced that **Councillors Chapman and Clarkson** would not be taking part in the debate as they were precluded from taking part in debate on the application because of their role as part of the shareholder group of the Oxford City Housing Limited company which could give rise to a public perception of bias should they take part in the decision.

101.18/03287/FUL: Former Murco Service Station, Between Towns Road, Oxford, OX4 3LZ

The Committee considered an application for planning permission for the demolition of existing structures and the erection of a part 3, 4 and 5 storey apartment block comprising 35 residential flats (Use Class C3) and 3 x 3 storey townhouses (Use Class C3) with associated access, parking and landscape arrangements at the Former Murco Service Station, Between Towns Road, Oxford.

The Planning Officer reported:

- two corrections to the report: paragraph 10.3 should state 38 dwellings not 9; and in paragraph 11.6 the reference to a S106 agreement should be deleted;
- a further representation from the Highways Authority confirming they raised no objections; and that consultation on a local controlled parking zone (CPZ) had recently ended; and recommending attaching an informative suggesting that if the CPZ were to be implemented residents in the development should be excluded from eligibility for residents' parking permits.
- the applicant had submitted minor changes to the design of the flats: to the bricks on the rear and facing stairwells and to obscure glaze the windows on the NE side.

The Planning Officer proposed and the Committee agreed to add

- a further condition to secure provision of the public open space (referenced in paragraphs 2.3 and 6.4 of the report)
- the recommended informative to the effect that should a CPZ be implemented the development will be excluded to ensure it remains car-free.

Cllr David Henwood (local ward Councillor), Cllr John Sanders (local County Councillor) and Mark Watson (local resident) spoke objecting to the application.

Alan Wylde (representing the applicant), Simon Lea (architect), and James Cogan (planning consultant) spoke in support of the application and answered questions from the committee.

In reaching its decision, the Committee considered all the information put before it including the officer's report and presentation; the speakers' presentations; answers to questions put to the officers and the applicant; and officers' professional advice. On being proposed, seconded and put to the vote the Committee agreed to approve the application.

The East Area Planning Committee resolved to:

1. **approve application 18/03287/FUL** for the reasons given in the report and subject to the 29 required planning conditions set out in section 12 of the report, a condition to secure provision of public open space, and an informative regarding exclusion from a future CPZ; 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 and above including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

102.17/03101/FUL: Ashlar House, Glanville Road, Oxford, OX4 2DD

Councillors Chapman and Clarkson joined the meeting at the start of this item.

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

The proposal was previously reported to the East Area Planning Committee on 7 March 2018. The Committee resolved to grant permission subject to a S106 agreement which secured a financial provision towards off-site affordable housing provision. Since that time, the applicants confirmed that they were now not willing to enter into the S106 agreement to secure a contribution towards off site affordable housing provision. The grant of planning permission being conditional on this agreement, the application was referred back to Committee for redetermination. The matter before the Committee was the S106 agreement, all other matters being unchanged since making the previous resolution.

Simon Sharp (the agent for the applicant) spoke in support of removing the requirement for the S106 agreement.

In reaching its decision, the Committee considered all the information put before it including the officer's report and presentation; the speakers' presentations; answers to questions put to the officers; and officers' professional advice.

The Committee noted that the applicant had not submitted a viability assessment. They noted that in the absence of a viability assessment and the absence of a change in the specific circumstances of Oxford's housing need or a change in the Council's policy the application should be refused in the absence of a S106 agreement secure a financial contribution towards off-site affordable housing provision.

After debate and on being proposed, seconded and put to the vote the Committee agreed to refuse the application for the reasons set out in the report.

The East Area Planning Committee resolved to:

1. refuse application 17/03101/FUL for the following reason:

The proposal fails to make provision for financial contributions towards the delivery of off-site affordable housing in Oxford or to robustly justify on viability grounds why a lesser financial contribution towards off-site affordable housing provision would be appropriate. Consequently the proposal fails to meet the requirements of Policy HP4 of the Sites and Housing Plan 2011-2026, Policy CS24 of the Oxford Core Strategy 2026 and the principles set out in the Affordable Housing and Balance of Dwellings SPD.

2. agree to delegate authority to the Acting Head of Planning Services to finalise the reasons for refusal as set out in the report (and above) including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary and issue the decision notice.

103.Minutes

The Committee resolved to approve the minutes of the meeting held on 6 March 2019 as a true and accurate record.

104.Forthcoming applications

The Committee noted the list of applications.

105.Dates of future meetings

The Committee noted the meeting dates.

The meeting started at 6.00 pm and ended at 7.35 pm

Chair

Date: Wednesday 1 May 2019