

Agenda

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East Area Planning Committee

Date: **Wednesday 3 July 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 John Tanner	Littlemore;
	Councillor Shaista Aziz	Rose Hill and Iffley;
	Councillor Nigel Chapman	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Christine Simm	Cowley;
	Councillor Roz Smith	Quarry and Risinghurst;
	Councillor Elizabeth Wade	Wolvercote;

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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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 19/00518/RES: Land At Barton, Northern By-pass Road, Oxford, OX3 9SD

13 - 66

Site address: Land at Barton, Northern By-pass Road, Oxford

Proposal: Details of reserved matters (layout, scale, appearance, and landscaping) for third phase of the Barton Park development, pursuant of condition 3 of the outline planning permission 13/01383/OUT.

The works comprise the construction of 207 residential units (Class C3) with associated means of access and highways works; car and cycle parking; hard and soft landscaping; public realm works and ancillary structures, including a substation.

Recommendation: East Area Planning Committee is recommended to:

1. **approve the reserved matters application** submitted in relation to condition 3 of the outline planning permission 13/01383/OUT for the reasons given in the report and subject to the required planning conditions
2. **defer** the discharge of the following conditions of outline consent 13/01383/OUT to the Acting Head of Planning Services to discharge separate to this application:
 - Condition 6 – Materials
 - Condition 9 – Landscape and Public Realm
 - Condition 11 – Tree Protection Measures

- Condition 12 – Landscape Management Plan
- Condition 15 – Lifetime Homes Standards
- Condition 16 – Car Parking Standards
- Condition 17 – Cycle Parking Standards
- Condition 20 – Travel Plan
- Condition 23 – Sustainability
- Condition 25 – Phased Surface Water Drainage
- Condition 26 – Foul Water Drainage
- Condition 27 – Flooding
- Condition 28 – Ground Contamination and Remediation
- Condition 32 – Noise Attenuation
- Condition 38 – Repeat Ecological Surveys
- Condition 39 – Habitat Creation

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

- (a) finalise the recommended conditions set out in the report including such refinements, amendments, additions, and/or deletions as the Acting Head of Planning considers reasonably necessary; and
- (b) approve the reserved matters application; and
- (c) defer the discharge of the conditions referred to above.

4 18/02401/OUT: The Bungalow, Garsington Road, Oxford, OX4 6NQ

67 - 90

Site address: The Bungalow, Garsington Road, Oxford, OX4 6NQ

Proposal: Outline application (seeking the approval of access, landscaping, layout and scale) for the demolition of a bungalow and MOT garage and erection of proposed mixed use development comprising 9 x 2 bed flats, 433 sq. m of B1 office space and associated car parking, cycle parking, bin stores and landscaping.

Recommendation: East Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report, subject to there being no further objections received following consultation, the submission of an Arboricultural Impact Assessment which satisfactorily demonstrates that the development would not by reason of its siting compromise the cedar tree shown to be retained and subject to the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in this report.
The development would also be subject to the required planning conditions set out in section 12 of this report.
2. **agree to delegate authority** to the Acting Head of Planning Services to:
 - (a) finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and
 - (b) finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Acting Head of Planning Services considers reasonably necessary; and
 - (c) complete the section 106 legal agreement referred to above and issue the planning permission.

5 19/00933/CT3: Land At The Junction Of Blackbird Leys Road And Balfour Road, Oxford

91 - 104

Site address: Land at the Junction of Blackbird Leys Road and Balfour Road, Oxford

Proposal: Formation of 10 parking spaces.

Recommendation: East Area Planning Committee is recommended to:

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

6	19/01057/CT3: 2 Devereux Place, Oxford, OX4 4RP	105 - 114
	Site address: 2 Devereux Place, Oxford, OX4 4RP	
	Proposal: Erection of two storey side extension.	
	Recommendation: East Area Planning Committee is recommended to:	
	<ol style="list-style-type: none">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; and2. agree to delegate authority to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.	
7	19/01029/CT3: Headington Community Centre, 39 Gladstone Road, Oxford, OX3 8LL	115 - 124
	Site address: Headington Community Centre, 39 Gladstone Road, Oxford,	
	Proposal: Erection of single storey front extension; installation of extract fan, high level ducting and replacement inspection chamber.	
	Recommendation: East Area Planning Committee is recommended to:	
	<ol style="list-style-type: none">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;2. agree to delegate authority to the Acting Head of Planning Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.	
8	Minutes	125 - 130
	Recommendation: to approve the minutes of the meeting held on 5 June 2019 as a true and accurate record.	

9 Forthcoming applications

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

16/02549/FUL: Land Adjacent 4 Wychwood Lane, OX3 8HG	Non-delegated application
17/01519/FUL: 55 Collinwood Road Oxford OX3 8HN	Called in
18/03180/FUL: 108 Temple Road, Oxford, OX4 2HA	Called in
18/03330/OUT: Sports Field William Morris Close Oxford OX4 2SF	Committee level application
18/03405/FUL: Holy Family Church , 1 Cuddesdon Way, Oxford, OX4 6JH	Committee level application
19/00305/OUT: 295-301 London Road, Headington, Oxford, OX3 9HL	Committee level application
19/00779/FUL: Land at 1-7 Jack Straw's Lane/ 302-304 and 312 Marston Road, Oxford, OX3 0DL	Committee level application
19/01027/FUL and 19/01028/LBC: The White Hart, 12 St Andrew's Road, Oxford OX3 9DL	Called in
19/01038/FUL: Ivy Lane, Osler Road, Oxford, OX3 9DT	Committee level application
19/01039/FUL: Site Adjacent Randolph Court, Churchill Drive, Oxford	Committee level application
19/01058/CT3: 15 Devereux Place, Oxford, OX4 4RP	Council application
19/01059/CT3: 56 Dashwood Road, Oxford, OX4 4SH	Council application
19/01142/CT3: Windrush Tower, Knights Road, Oxford, OX4 6HR	Council application
19/01271/CT3: 66 Sandy Lane, Oxford, OX4 6AP	Council application
19/01321/CT3: Even 54 To 60 , The Grates, Oxford, OX4 3YJ	Council application
19/01373/FUL: Former Royal Mail Sorting Office ,7000 Alec Issigonis Way, Oxford, OX4 2ZY	Committee level application
19/01444/VAR: The Peeples Centre, The Oxford Academy Campus, Sandy Lane West, Oxford, OX4 5JY	Called in
19/01490/CT3: Site of 1 To 7 Birchfield Close, Oxford	Council application

10 Dates of future meetings

Future meetings of the Committee are scheduled at 6.00pm on

2019

31 July

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

3rd July 2019

Application number: 19/00518/RES

Decision due by 21st June 2019

Extension of time TBA

Proposal Details of reserved matters (layout, scale, appearance, and landscaping) for third phase of the Barton Park development, pursuant of condition 3 of the outline planning permission 13/01383/OUT. The works comprise the construction of 207 residential units (Class C3) with associated means of access and highways works; car and cycle parking; hard and soft landscaping; public realm works and ancillary structures, including a substation.

Site address Land At Barton, Northern By-pass Road, Oxford, Oxfordshire

Ward Barton And Sandhills Ward

Case officer Clare Gray

Agent: AECOM **Applicant:** Redrow Homes

Reason at Committee Major Application

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **approve** the reserved matters application submitted in relation to condition 3 of the outline planning permission 13/01383/OUT for the reasons given in the report and subject to the required planning conditions

1.1.2. **defer** the discharge of the following conditions of outline consent 13/01383/OUT to Acting Head of Planning Services, to discharge separate to this application:

- Condition 6 – Materials
- Condition 9 – Landscape and Public Realm
- Condition 11 – Tree Protection Measures
- Condition 12 – Landscape Management Plan

- Condition 15 – Lifetime Homes Standards
- Condition 16 – Car Parking Standards
- Condition 17 – Cycle Parking Standards
- Condition 20 – Travel Plan
- Condition 23 – Sustainability
- Condition 25 – Phased Surface Water Drainage
- Condition 26 – Foul Water Drainage
- Condition 27 – Flooding
- Condition 28 – Ground Contamination and Remediation
- Condition 32 – Noise Attenuation
- Condition 38 – Repeat Ecological Surveys
- Condition 39 – Habitat Creation

1.3 Agree to delegate authority to the Acting Head of Planning Services to

- Finalise the recommended conditions set out in this report including such refinements, amendments, additions, and/or deletions as the Acting Head of Planning considers reasonably necessary; and
- Approve the reserved matters application and
- Defer the discharge the conditions.

2. EXECUTIVE SUMMARY

2.1. This report considers a reserved matters application following the grant of outline planning permission for an urban extension to the east of Oxford on allocated land off the A40 bypass in October 2013. That application included a maximum of 885 dwellings amongst other uses and was the subject of a Design Code to deliver a high quality development. To date, Phase 1 has been approved and is currently being built out on site, while this development proposal will comprise the second reserved matters application to come forward seeking provision for a significant quantum of housing.

2.2. This proposal relates to Phase 3 of the phasing masterplan, with Phases 2 and 4 left to build out. The scheme will provide 207 dwellings to the east of the site in a mix of 2 to 4 bed units of 2 and 3 storeys, providing a mix of dwellinghouses and apartments.

2.3. The application would involve the redevelopment of a site that has been allocated for residential development within the Sites and Housing Plan and has

been granted outline permission. 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 phase 3 would make a significant contribution to housing delivery and meeting the overall housing need as set out within the Oxford Core Strategy.

- 2.4. The development 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. This application is not subject to a legal agreement.

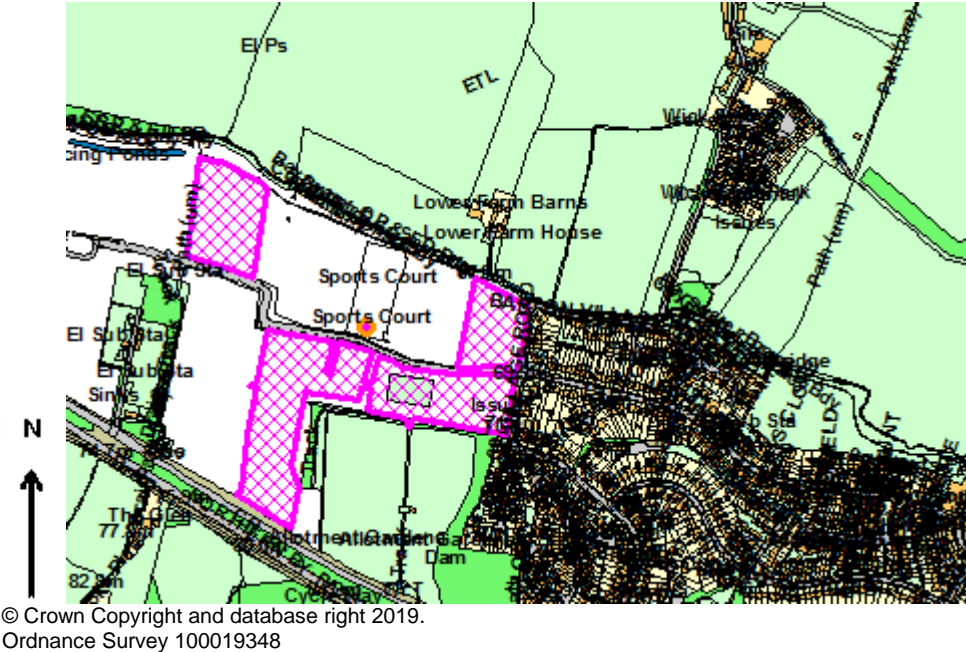
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. A CIL payment is not required as outline planning permission was granted before the introduction of the CIL charging regime within the city.

5. SITE AND SURROUNDINGS

- 5.1. Barton Park is an allocated greenfield site located to the north of the A40 bypass and west of Barton village. The site comprises undeveloped agricultural land which is bound by a linear park to the north which is a defining feature for this urban extension secured through the outline consent and the adjacent to undeveloped parcels which will come forward at a later date. Beyond the site to the north and west of the Barton Park allocation is arable land and pasture. To the south east of the site within Barton Park is the existing Barton allotments.
- 5.2. Phase 3 of the development covers an area of approximately 6.5ha and is located to the eastern end of Barton Park. Within the centre of the application site is the location for the proposed Primary School and playing fields surrounding which is the subject of a separate application being determined by the County Council. A primary street runs in an east west direction through the middle of the site which is an arterial route serving the development and connecting the A40 with Barton village and the parcels within the Barton Park development.
- 5.3. The site is mainly level, except for a rise in levels towards the southern boundary where there is a steep embankment which leads up to the A40. A number of the parcels have already been excavated as a result of enabling works to provide the infrastructure for the site such as the primary street.
- 5.4. There are views into the site from public footpaths within open countryside to the north. Existing drainage channels and hedgerows run in a north –south direction breaking the site into parcels.

5.5. See block plan below:



6. PROPOSAL

- 6.1. The application seeks discharge of the reserved matters as secured by condition 3 of outline permission 13/01383/OUT regarding the appearance, landscaping, layout and scale of Phase 3 of the masterplan, with access already having been approved at outline stage. It does not seek to reconsider the principle of developing the site for residential accommodation.
- 6.2. Access to Phase 3 would be obtained from the Primary Street which runs in an east west direction through the development and is a pivotal road defined within the Design Code established at outline stage linking Barton village with the A40. Secondary streets and tertiary streets which are all other streets within the development would be accessed from the Primary Street and again were established as part of the general movement principles within the outline application.
- 6.3. The proposal itself will be provided in 3 parcels albeit within the same phase with 2 parcels of dwellings north of the primary street to the east and west of the primary school and the rest of the dwellings to the south of the primary street largely contained between the primary street and the allotments and the A40.
- 6.4. The site layout would provide 207 residential units in mix of 12 apartments and 195 dwellings. The typologies range from 2 - 4 bedrooms homes, with 12 x 2 beds, 104 x 3 beds and 91 x 4 beds. The houses would be 2 to 3 storey in height while the apartments are provided in a total of 2 blocks of 3 storey height. The mix of houses and apartments are a response to meet density standards set out within the parameter plans approved at outline stage.

- 6.5. The design of the dwellings respond to different character areas set within parameter plans agreed at outline stage and defined in the Design Code, but essentially are of a traditional form but with a contemporary aesthetic with unifying features across the development.
- 6.6. Forty per cent of the residential units are proposed as affordable housing, in compliance with the Section 106 legal agreement connected to the outline consent, providing 83 units affordable units (12 apartments and 71 houses) and 124 private (houses).
- 6.7. The layout, siting, form and design have been the subject of much consideration and positive discussion at pre-application stage including presentations to Oxford Design Review Panel.
- 6.8. 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 light and dark stock bricks with clay tiles and reconstituted slate roofs, stone column accents where they feature, rendered panels and brown metal windows, cills and rainwater goods. This will be evenly distributed through the development but where the scheme neighbours with existing Barton village the percentage of dark coloured brick increases to reflect the palette of existing materials on the Barton Village Road. Across the development brick rustication is proposed with varying bricks and patterns to provide visual interest and relief to the façade of buildings. Balustrading is also proposed to balconies across the development to create a unifying feature with a diagonal pattern to the top to reflect medieval forms and patterns found within Oxford. Marker buildings are proposed to provide further visual variety and are located at road junctions or located at the end of vistas.
- 6.9. The outline planning application was accompanied by an Environmental Statement (ES) and the Environmental Information (EI) was taken into consideration prior to granting that permission. As a reserved matters application the Council must consider whether the EI it already has is adequate to assess the environmental effects of the development. The applicant has submitted a statement of conformity to the ES which confirms that the proposals within this Reserved Matters application have been developed within the parameters of that document and that the development will not give rise to any significant effects over those considered at the time of the outline.
- 6.10. Through the details submitted as part of the reserved matters application, the applicant is also seeking to discharge a number of conditions imposed upon the outline permission. These would be 6 (materials); 9 (landscaping and public realm); 11 (tree protection measures); 12 (landscape management plan); 15 (lifetime homes standards); 16 (car parking standards); 17 (cycle parking standards); 20 (highways: travel plan); 23 (sustainability); 25 (phased surface water drainage); 26 (foul water drainage); 27 (flooding); 28 (ground contamination and remediation); 32 (noise attenuation); 38 (repeat ecological surveys); 39 (habitat creation).

7. RELEVANT PLANNING HISTORY

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

13/01383/OUT - Outline application (seeking means of access) for the erection of: A maximum of 885 residential units (Class C3); a maximum of 2,500 sqm gross Class A1, A2, A3, A4 and A5 uses (with a maximum of 2,000 sqm gross foodstore Class A1); a maximum of 50 extra care housing units; a maximum of 7,350 sqm GEA hotel (Class C1); a maximum of 3,000 sqm GEA Class D1, D2 floorspace (community hub and primary school); in development blocks ranging from 2 to 5 storeys with associated cycle and car parking, landscaping, public realm works, interim works and associated highway works. (Additional information - Landscape and Cultural Heritage Statement) : Approved

14/03201/RES - Details of reserved matters (layout, scale, appearance and landscaping) for a scheme of Enabling Infrastructure Works (such as utility services, earthworks, drainage/attenuation and roadworks), pursuant to conditions 3 and 4 of the outline planning permission for the mainly residential development of the site (13/01383/OUT). More specifically these works comprise:-

- a) the primary street, street furniture, on-street parking, street lighting, surface water drainage swales, associated landscaping and surface finishes;
- b) green infrastructure, the linear park, greenways, hard and soft landscaping, footpaths, cycle paths and ecological improvements;
- c) landscaping details for the approved A40 junction;
- d) buried services and utilities, foul and surface water drainage, water channels, ponds, sustainable urban drainage systems and underground storage tanks.

This reserved matters application (14/03201/RES) is accompanied by the following additional submissions in relation to conditions and non-material amendments to the above mentioned outline permission:-

- i) condition 11 - tree protection (13/01383/CND2);
- ii) conditions 24 - site-wide surface water drainage scheme (13/01383/CND3);
- iii) condition 25 - enabling infrastructure phased surface water drainage system (13/01383/CND2);
- iv) condition 26 - site-wide foul water drainage strategy (13/01383/CND3); and,
- v) non-material amendments to approved A40 junction e.g. omission of splitter island (13/01383/NMA) : Approved

15/03642/RES - Details of reserved matters (layout, scale, appearance and landscaping) for the first phase of the Barton Park development, pursuant to Condition 3 of outline planning permission 13/01383/OUT. The works comprise the construction of 237 residential units (Class C3) with associated means of access and highways works; car and cycle parking; hard and soft landscaping; public realm works and ancillary structures. (Amended plan) : Approved

16/00067/RES - Details of reserved matters (access, appearance, landscaping, layout and scale) for the community sports facilities comprising a relocated natural turf adult sports pitch, multi-use games arena, 3G pitch lit by 12 x 10m light columns and a natural turf pitch adjoining the community hub, along with associated car parking, fencing, and vehicular and pedestrian access together

with locally equipped area of play : Approved

16/00442/RES - Reserved Matters approval for improvements to the existing allotments and outbuilding, associated fencing, services and associated car parking together with a community garden including pedestrian and cycling links and new tree planting and associated landscaping : Approved

16/02002/RES - Erection of community sports pavilion with associated car and cycle parking and landscaping (Reserved Matters of outline planning permission 13/01383/OUT) : Approved

19/00962/RES - Reserved matters of outline planning permission 13/01383/OUT for the erection of an electricity substation : For determination

19/01209/RES - Details of reserved matters (layout, scale, appearance and landscaping) for the widening of the Phase 1 eastern Tertiary Street by 1.2m : For determination

19/01213/FUL - Demolition of existing allotment hut and erection of 2no. shipping containers, 1no. toilet and associated landscaping : For determination

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	Barton Area Action Plan	Emerging Local Plan 2036*
Design	124-132	CP1 CP8 CP9 CP10 CP13 CP14	CS13 CS18	HP9	BA13	RE2 DH1 DH5
Housing	59-76	CP6	CS2 CS22 CS23 CS24	HP2 HP3 HP11 HP12 HP13 HP14	BA8, BA9	H1 H2 H4 H10 H14
Commercial	85-90				BA20	
Natural environment	133-147 148-169 170-183	CP11 NE15 NE16 NE20			BA16, BA17, BA18, BA19	G2
Social and community	91-101				BA3, BA4, BA10, BA11	
Transport	102-111	TR1 TR2 CP13	CS14	HP15 HP16	BA1, BA5 BA6, BA7	M1 M3 M4

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Barton Area Action Plan	Emerging Local Plan 2036*
						M5
Environment	117-121	CP17 CP19 CP20 CP21 CP22 CP23	CS9 CS11 CS12		BA3, BA12	RE1 RE3 RE4 RE6 RE8 RE9
Misc	7-12	CP24 CP25	CS17 CS19 CS28 CS30 HP11 HP12	MP1		S1 S2

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 19th March 2019 and an advertisement was published in The Oxford Times newspaper on 21st March 2019.

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

Statutory and non-statutory consultees

Oxfordshire County Council

9.3. Highways: No objections

9.4. Drainage: No objection following submission of further information related to drainage as set out in body of report.

Thames Water Utilities Limited

9.5. No objections

Historic England

9.6. Do not wish to make any comments

Natural England

9.7. No comments to make on this application

Thames Valley Police

9.8. No objection to the proposals. However raised some concerns that the design and layout could be better designed to mitigate crime and disorder. These issues focus around the level of permeability through the south-eastern corner of the site with two foot / cycle ways that could attract ASB. The provision of more active windows to encourage natural surveillance. Some of the pocket parks contain too much landscaping which impacts on natural surveillance of the space. Boundary enclosures should be designed to reduce the ability for fences to be climbed. Access gates to the rear gardens should be robust. Pocket parks should be managed spaces. Rusticated brickwork should not be used as it encourages climbing.

Environment Agency

9.9. Made comments on the discharge of conditions 25, 27, and 28 in relation to the overarching outline permission. These are set out within the report.

Oxford Civic Society

9.10. Objection.

- Terrace and balcony areas are too small to be functional and inadequate storage space
- Location of cycle storage is inconvenient and not conducive to encouragement of cycling as a prime mode of transport. Conversely access to waste and recycling is better
- No provision has been made for visitors cycle parking for any properties and that cycling is an afterthought and not an integral part of the design
- Concerned that the primary street through the development makes no provision for safe segregated cycling
- No regard had to access via an existing PROW at Stoke Place and other PROW beyond the site as required by policy BA7 of the Barton Area Action Plan. There is considerable case for the establishment of a formal crossing of the A40 at Stoke Place for pedestrians and cyclists
- Question the figures as provided within the Travel Plan and Transport Assessment with significant flaws with failure to provide a crossing at Stoke Place
- Overall, there is failure to genuinely embrace the principles of encouragement of walking and cycling as the preferred modes of travel and the continued accommodation of private car transport as the design priority across the development. This is disappointing.

Public representations

9.11. Three letters of comment have been received from addresses in Stapleton Road; Main Street, Forest Hill and Kennet Road

9.12. In summary the main points of objections from 3 residents are:

- Disappointment there is no link between eastern section of Barton Park and Old Headington. This would provide a safer route across the Northern Bypass
- If the development is to promote low car usage and encourage people to use bikes or on foot, then easy access needs to be made safer
- Provision should be made for the improvements of the crossing of the A40 be improved to benefit residents of both Barton Park to access employment, education, retail and leisure facilities in Headington and for Headington residents to access the countryside

9.13. Objection was also received from an organisation called On Foot in Oxford. Their comments are as follows:

- On the whole, we applaud the layout of Barton Park with its pleasant greenways and linear park. However, there is a real issue over connectivity to the city centre and to the local employment and shopping area of Headington, particularly significant for the homes that are planned as part of Phase 3 of the development
- Pedestrian and cycle access to Headington (and thence to the city centre) involves what will seem like quite a long detour to reach the subway connecting North Way (Barton) to Barton Road/Barton Lane in Headington. The light controlled crossing of the A40 into Northway will be even more of a detour. This issue would be addressed directly by provision of a safe crossing of the A40 from the Public Right of Way 320/57 beside the electricity sub-station into Stoke Place, then connecting directly to Headington - and even more directly to the John Radcliffe Hospital, for medical and employment purposes.
- This direct crossing of the A40 is a historic route. It is clearly seen on the 1898 Ordnance Survey map leading from Old Headington to the countryside beyond and the villages of Elsfield and Beckley.
- This was bisected when the Northern Bypass was built in the mid-1930s. We note that provision of a safe crossing of the A40 at this point has been endorsed many times. It was part of the original plans for the area now known as Barton Park, although omitted from later versions. It was part of the draft Barton Area Action Plan although in the final AAP it appears as a 'wish'
- It is obvious from these maps that the 'Stoke Place route' provides by far the most direct route for residents from the central, and most densely-populated, part of Barton Park to reach Headington. Indeed, there is then an obvious connection with the Cuckoo Lane footpath (Oxford footpaths 32- 35) leading to and from central Oxford. It is likely that many Barton Park residents will work or shop in Headington (currently home to several major employers and five supermarkets), or in the City centre

- We find the Travel Plan submitted with this application to be unrealistic. For instance, distances are quoted to local GP practices (para 3.10.1). We have checked these using the app 'plotaroute.com' and find them to be very inaccurate, usually considerable under-estimates. Similarly, the Travel Plan (para 3.11.1) mentions Waitrose and Coop supermarkets at 2.5 km, and Headington local centre at 1.6 km. Waitrose and Coop are, in fact, the nearer parts of Headington local centre. (
- Contrary to Local Plan and Oxfordshire County Council PROW Management Plan policies
- In addition, we note that Barton Park was in 2016 given the designation of 'NHS Healthy New Town', implying a special emphasis on active travel, which would be facilitated by provision of the proposed crossing of the A40 into Stoke Place.

9.14. Objection was also received from Cyclox and Oxford City Cycling. Their comments are as follows:

- The cycle storage provision is totally inadequate for a development within a cycling city.
- The cycle storage is too small and there are concerns about accessibility
- The policy of the County Council is to promote active travel (walking / cycling) over private motor vehicles. For this to be a success all stages need to be well planned and designed from domestic cycle storage through cycle infrastructure to secure cycle parking at the journey's end.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Housing mix and affordable housing
- Character, site layout, scale, appearance and landscape
- Residential amenity
- Impact on neighbouring amenity
- Highways
- Flooding and drainage
- Noise
- Biodiversity
- Air quality
- Energy strategy

a. Principle of development

10.2. The principle of the developing the site for 207 residential units has been established through the granting of outline planning consent 13/01383/OUT, approved at EAPC October 2013.

- 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. Policy CS7 of the Core Strategy allocates Land at Barton as a strategic location for principally providing residential development. This policy provides for between 800 and 1200 homes with supporting infrastructure, including a primary school, public open space and access improvements. The Core Strategy confirms that the land will be brought forward through an Area Action Plan. The Barton Area Action Plan sets out the strategic development site which is identified as the area within policy CS7 to delivery of new homes as well as the policies for that delivery. The provision of this quantum of development is 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.
- 10.7. 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. Housing Mix and Affordable Housing

- 10.8. 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. This requires 10-15% 1 bed, 25-30% 2 bed, 40-55% 3 bed and 10-15% 4+ bed.
- 10.9. Policy BA8 of the Barton Action Plan states that planning permission will only be granted for development that delivers a mix of housing suitable for a range of different households including families, single people, older people and those with specialist housing needs. Across the site the overall balance of 1

beds should be 5-10%, 2 beds 25-30%, 3 beds 40-55% and 4 beds or more 15-20%.

10.10. The proposed housing mix for this Phase is as follows:

Phase 3 Mix (split by tenure)		
Unit Type Code	No.	%
2B	12	6%
3B	43	21%
4B	28	14%
Affordable: 83		40%
3B	61	29%
4B	63	30%
Private: 124		60%
Overall: 207		100%

10.11. In this scheme there is a high proportion of 3 and 4 bedrooms being provided, which in isolation does not comply in respect of the mix of housing as required by the Balance of Dwellings SPD and Policy BA8 for 1, 2 and 4 beds albeit it complies for 3 beds. However, it is critical to clarify that this is one phase of 4 planned for the wider strategic site identified in the outline planning consent and the second to come forward on this site, therefore in isolation these phases will not individually bring forward these mixes but that taken as a whole should provide the mix as planned at outline stage. This will mean that the subsequent phases 2 and 4 will be required to bring forward the percentage of 1 and 2 and 4+ beds to rationalise the mix across the site. Hence it will be critical for this to be monitored. To that end, the applicant confirms that the mix of houses is being monitored by the applicant landowner.

10.12. In respect of affordable housing, a minimum figure of 40% affordable housing was established in the Barton Area Action Plan and secured in the S106 attached to the outline consent. The mix of affordable units was also established in the AAP and is broadly in line with the Balance of Dwellings SPD which applies across the city. The S106 requires the submission of an Affordable Housing Reserved Matters Strategy with each reserved matters application. In order to integrate the affordable housing within the scheme no groups of affordable homes are to exceed 15 number in houses or 20 number in flats.

10.13. In total, the details in this reserved matters application comply with the requirements in providing 40 per cent on site social rented affordable housing, i.e. 83 units of the total 207 units.

10.14. The location of the Affordable Housing units is submitted with the application. Officers note that the affordable units are evenly distributed throughout the site, with no concentration in any one area, with both houses and apartments being provided as affordable in amongst open market sale units with equal

proximity to open space and pocket parks. 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.

- 10.15. 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.
- 10.16. As stated above, in this Phase there is a higher mix of 3 and 4 bedroom affordable units than the emerging policy, however, it is important to add that this policy relates to the site as a whole and not to the individual phases within the development. Moreover, this is an emerging policy only and therefore is accorded limited weight.
- 10.17. Overall, it is considered that the rationale as set out for this housing mix is acceptable and would continue to provide provides a reasonable mix of housing consistent with the overall aims of policy CS23 and emerging policy H4 of the Oxford Local Plan 2036.

c. Character, site layout, scale, appearance and landscape

- 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. Policy NE15 states proposals which include the removal of trees, hedgerows and other valuable landscape features that form part of the development site, will not be permitted where this would have a significant adverse impact upon public amenity or ecological interest.

10.20. The delivery of a high quality development at Barton Park, in both its urban design and architecture, was secured at the outline application through a series of Parameter Plans and a Design Code which forms the framework to subsequent reserved matters applications. Prior to the submission of this application, there has been a series of positive pre application discussions with the applicant and review by ODRP in order to deliver the best architectural response to this phase of the development.

10.21. Character Areas: Phase 3 lies to the eastern half of the site and straddles the Primary Street, and extending to both the northern and southern boundaries of the site. The development proposal needs to respond to 3 different character areas within the Design Code.



10.22. Essentially, these are:

- Higher Density Residential – Formal residential development creating a strong frontage along the principal through route with three storey buildings and regular building line and tree lined pavements
- Suburban – Medium density development with regular building line and short terraces and semi-detached houses
- Green Edge – Lower density development adjacent areas of open space with irregular road layout

10.23. In the plan above, the developer has added additional areas with a Barton village edge in order to help integrate the development with Barton Village Road and an A40 edge to respond to the condition provided by the main road.

10.24. At outline application, it was embedded into the parameter plans and design code that the eastern neighbourhood of Barton Park would be lower in density in comparison to the higher density of the Hills development within Phase 1 to

the west of the site, in order to more closely reflect the form of the existing Barton area with which it interfaces.

- 10.25. Site layout: The proposed site layout is formed of a hierarchy of routes with perimeter blocks that address the streets upon which the dwellings front, enabling a permeable site with high accessibility and ease of movement around. The perimeter blocks and dwellings fronting the streets provide surveillance of public areas and follows good urban design principles. The hierarchy of streets distinguish clearly between the primary routes, the secondary routes and the more informal narrower tertiary routes and this in turn creates a legible environment.
- 10.26. Along the primary street within the higher residential area and the secondary street the layout of houses is stronger with a defined edge and a regular building line. Beyond that through to the suburban areas and green edges, whilst retaining a perimeter block layout, the shape of the streets beyond more fluid and softer.
- 10.27. This layout also enables high permeability through provision of access footpath links to the linear park along the northern perimeter of the site, as well as the along the greenways that run north to south through the site and to the allotments to the south east. Further, throughout the development are 5 pocket parks. It is considered that the layout responds positively to the Design Codes and Parameter Plans.
- 10.28. 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 increased windows onto parking areas and greenways, the addition of capping to brick walls and lockable gates to ginnels. There however remains issues in respect of an area of land immediately outside the red edge of the site which is not directly overlooked between housing and the allotments. This is where rear gardens extend into an area of open space which would not be directly overlooked. In response, the applicant has stated that the area is outside Redrow's direct control. However, Redrow will have an agreement with Grosvenor, who are in control of the Greenway area, that the area will be secured with fencing and gates for authorised access only. The difficulty however, is that being outside the application site, this can not be required as a condition and the land is not under Redrows control. The approach thus would be to ensure this area is robust with brick wall for visual amenity and security purposes. This will be required by a condition.
- 10.29. During the consultation process concerns have been raised by various parties that the application has not had regard to the creation of a link to the existing public right of way at Stoke Place on the opposite side of the A40. It is suggested that there is a considerable case for the establishment of a formal crossing at Stoke Place for pedestrians and cyclists.
- 10.30. The reserved matters does not consider the creation of such a link, because matters of access were considered at outline stage, and this application only seeks approval of the matters reserved for this time (appearance, layout,

scale, and landscaping). The provision of a new footbridge across the A40 to Stoke Place was not secured at outline stage due to cost and also land-take to provide a suitable crossing. The S106 for the outline application therefore secured improvements to the underpass towards the Headington Roundabout to allow access over the A40.

- 10.31. Scale: The building heights comprise two and three-storey dwellings across the site which respond to the varying character areas that are set down in the Design Codes.
- 10.32. Along the primary street, as a principal thoroughfare and tying Barton Park with Barton, buildings along the street are close together, particularly in the vicinity of the school, where buildings are three-storeys in height in order to create a more formal strong edge. Moving east along the primary street the houses are two-storey as the site more closely relates to Barton, which is characterised by two-storey housing. Remaining houses throughout the development are also of two-storey scale, appropriate to the suburban characters and relationship with green edges that the Design Codes seek to create.
- 10.33. Appearance: The appearance of the buildings have been the subject of extensive discussion to ensure that the new housing integrates sensitively with the existing Barton Village neighbourhood to the east and in anticipation of the future phases of development to come forward in phase 4 which will bound the site immediately to the west. As established in the Design Code, Phase 3 is to consist predominately of detached and semi-detached family houses using traditional building forms. The architectural response to the transitional nature of Phase 3, responding to Barton and the delivery of family houses, has been to comprise a range of typologies of largely traditional building forms but to avoid pastiche detailing and incorporate contemporary features. The predominate feature that ties the appearance of the buildings together largely encompasses the use of rustication to create a bespoke appearance to the buildings, but within a traditional building form and appearance. A mix of balconies, projecting frames around windows as well as larger windows are then used in addition to tie the different typologies together. A mix of gable and hipped roofs are employed throughout except for in the higher residential area where flat roofs are used, which is considered a stronger architectural response to the primary street.
- 10.34. Marker buildings are proposed also throughout the development to provide further visual variety. These are used to signify road junctions or are located at the end of vistas.
- 10.35. The palette of materials comprises 2 variations of light coloured buff on the tertiary streets and 2 variations of dark coloured brick on the primary street, using render alternative panels and precast reconstituted stone columns on marker buildings. The roof materials are a mix of clay tiles and reconstituted slate tiles.
- 10.36. The application is submitted with boundary enclosures shown throughout the development with principally brick walls in public domain and close boarded

fences in private non visible areas. There are however, some concerns with the form and nature of the means of enclosure around the greenways which are still ongoing with discussions about the form that they will take. This relates to the original submission which showed the use of close boarded fences which are not considered to be of a high enough quality or robust for these areas and are contrary to the Design Codes. This is mostly resolved, however, there are still some areas of concern which are minor matters that can be dealt with by an appropriately worded condition.

10.37. Landscape: The landscape strategy for the Barton Park development seeks to draw upon the existing landscape context with objectives to

- Maintain existing key landscape features such as mature hedgerows as much as possible
- Address and mitigate the impact of the development on the local landscape
- Retain and enhance existing habitats
- Provide appropriate strategic landscape planting
- Enhance the open space network and
- Provide additional play opportunities

10.38. The landscape vision for the site is to create attractive inclusive spaces which accords with the Design Code and to embed this into a landscape masterplan. The masterplan reflects the sites special setting with references to site specific details and features which focus on planting and horticulture.

10.39. The vision will be applied by following the design principles to deliver a high quality public realm with shared surfaces with integrated pocket parks to create a strong sense of character, clear definition between private and public space, using materials, colour and physical features such as hedging, creative design to the street to control traffic speeds and to prioritise pedestrians and cyclists, clear and simple navigation aids to shared surface streets and open spaces which are functional and distinctive.

10.40. There are five pocket parks in total and the design concept is based on productive landscape elements such as garden form, layout, natural materials and vegetation patterns with the layout of the growing beds providing inspiration for peoples enjoyment of the space. The pocket parks will adopt different characters with 2 with playful and active space, 1 acting as a gateway to the allotment for the community, with community space and 2 encouraging natural play and quiet enjoyment.

10.41. Across the development the planting strategy is of street trees, hedgerows and on plot planting which all build on the productive landscape with fruit trees, edible fruits and berries within hedgerows. Trees are planted into the street in build outs as well as in verges.

- 10.42. It is considered that the design of the public realm is particularly successful and has been well conceived and designed to create a high quality street scene that unifies the scheme. Pocket parks are considered to be designed with thoughtful planting and a strong vision
- 10.43. Strategic landscape planting by way of the linear park to the north of the site has already been completed and it is considered the landscape proposals successfully open out to blend with the linear park and landscape beyond.
- 10.44. Access to the allotments is safeguarded through attractive landscaped path and pocket park, with raised planters. The landscape approach in design terms is to resemble the character of growing spaces and productive gardens such as distinctive vegetation.
- 10.45. In terms of landscape features across the site, the extent of land within the application boundary is mainly flat agricultural land with a 4m embankment along the southern boundary with the A40, and a small length of hedgerow along the eastern boundary with Barton Village Road. Immediately outside of the red edge are green ways of vertical length running north south which are characterised with trees and surviving hedgerows and ditches, as well as the linear park running along the northern perimeter of the site. The allotments and green space surrounding is located to the south east of the site.
- 10.46. The construction of the development does not involve the loss of trees or green features within the site save for a short length of native hedgerow to the east of the site to enable houses to front onto Barton Village Road. Whilst it was shown as being retained in the outline parameter plans, the hedgerow trees were reduced in height during the initial site clearance works and as a result it currently has very low visual amenity value. It is to be removed for off-street parking for the properties that front Barton Village Road and new several 'standard' ornamental trees will be planted in its place in soft gaps between the driveway. This will alter the character and appearance of the street, but the proposal is considered to adequately mitigate the impact on visual amenity in the area.
- 10.47. In respect of the development impacting on trees outside of the site, there are small encroachments within the Root Protection Areas of some other existing trees that are off-site and adjacent to the application site boundary but it is considered the viability of these trees will not be significantly harmed
- 10.48. In relation to planting of new trees, the proposals appear to have adequately identified the opportunities for tree planting across the site, and the species and nursery stock specifications of the new trees are broadly consistent with the approved Design Code.
- 10.49. Overall, officers consider the applicant has responded to the context of these character areas well through the detailed design of typologies and landscape proposals. This is particularly successful along the north eastern edge where proposals front the linear park. The typologies designed along this edge maximise views out through the use of large balconies and the landscape proposals open out to blend with the linear park and landscape beyond.

Similarly, whilst the mix of typologies along the primary street vary, elements such as brick work detailing and window detailing have been used to unify the scheme and create a strong frontage. The architectural response in sensitive areas such as the interface between Barton Park and Barton Village has been carefully considered through the introduction of similar proportions, rhythm and detailing. Furthermore, the design of the public realm is particularly successful and has been well conceived and designed to create a high quality street scene that unifies the scheme. Pocket parks are designed with thoughtful planting and a strong vision.

10.50. Thus, 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.

d. 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. 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.

10.52. 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 reasonable size, albeit the gardens vary in size. Some of the garden sizes are smaller than the footprint of the buildings, which does lead to a smaller back to back distances and some of these are for the affordable housing. However, this is due to constraints of the plots and the maximum densities for each phase approved at outline stage. Through the design stage negotiations have sought to redress this, but this is not been fully achievable. On balance however, this is not a reason for refusal. Bikes and bin storage for the houses are provided for each property and accessed either through a side or rear gate to the back garden.

10.53. For the apartments, at first and second floor balconies are proposed on the frontage and at ground floor, there is access to external area. The outdoor areas to the flats do not comply with the outdoor area standards of minimum balcony of 1.5m x 3m, measuring 1.26m x 2.23m, but this is proposed for reason of meeting the high density standards set at outline stage for this development parcel, and thus is considered acceptable on this exceptional basis. For bins, storage is external to the back of the buildings and accessed off a path alongside the rear parking spaces. Cycle storage is also provided at ground floor externally adjacent to the parking spaces and bin storage.

- 10.54. The site fronts on to Barton Village Road to the east, which is lined by dwellings facing onto the site. Between proposed and existing housing is suitable distance to appropriate for safeguarding residential amenity.
- 10.55. Off the primary street, is a secondary street that 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.
- 10.56. Condition 32 of the original outline consent seeks to ensure that a scheme of mitigation measures is submitted for dwellings adjacent to the A40 bypass and/or the electricity substation to demonstrate that the noise levels met are not greater than 30 dB LAeq, 8hr (bedrooms) within all residential units and 35 dB LAeq, 16hr (living rooms) within all residential units.
- 10.57. A Noise Impact Assessment was submitted with the application and states that provided that a suitable building fabric, glazing and ventilation strategy is adopted the proposed scheme should be capable of achieving the internal noise criteria outlined in the guidance of BS8233:2014, which would comply with Planning Condition 32. Further, an indicative acoustic specification for the proposed glazing and ventilation elements has been prepared which should provide the appropriate sound reduction specification to meet the proposed internal criteria with the proposed façade configurations. Finally, the assessment of the noise from the substation shows that during both the daytime and the night-time, the proposed dwellings are likely to be exposed to a rating level less than the background and therefore this is likely to be an indication of the specific source having a low impact. Therefore, it is considered that with appropriate conditions to ensure that building is completed in accordance with measures outlined for glazing and ventilation, that the requirements of condition 32 can be met and that the noise levels are acceptable 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.
- 10.58. The applicant provides 10 houses overall which will wheelchair accessible comprising 6 open market houses and 4 affordable units in total will be provided which is the 5% requirement set out in planning policy. In accordance with condition 15, the applicant confirms that all houses will be built to Lifetime Homes Standards.
- 10.59. The proposal would accord with the aims and objectives of Sites and Housing Plan policies HP12, HP13 and HP14 and the Nationally Described Space Standard in providing a good level of residential accommodation.

e. Impact on neighbouring amenity

- 10.60. The development is considered to have adequately safeguarded amenity for neighbouring dwellings in Barton Village Road and future occupants and results in comfortable relationships between existing and proposed development.

f. Highways

10.61. 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

10.62. The traffic generation associated with the level of development proposed within the outline application was accepted as part of the approval for that application. Therefore no objection can be raised on grounds of highways impact and the County do not object on traffic generation.

Access

10.63. The principal access points into the development is via the core Primary street that runs through the development as a spine road and approved in the outline application, connecting the strategic site with the A40 bypass with a new junction at Phase 1 linking through to Barton Village.

10.64. In Phase 3, the roads have been designed to focus vehicular movements on the primary street with additional turning capability for large vehicles such as buses, provided on the secondary street. Off the primary and secondary streets the development will be accessed via tertiary streets where road junctions and landscaped build outs have been designed to reduce speed of cars and other vehicles. Street widths also follow a hierarchy too with the tertiary streets being narrower to flag to motorists to reduce their speed as they navigate through the development.

10.65. The site layout is provided as blocks with tertiary streets to ease movement through the site. From Barton Village Road a pedestrian and cyclist only link has been provided direct to a tertiary street to increase permeability through the site away from the primary street, and won't be accessible for cars.

10.66. County Highways have commented on the layout of the development and have raised concerns that with some of the build outs that whilst they would provide benefit in terms of traffic calming, it is observed in some areas that the effective runnable carriageway width is significantly reduced and may be unsuitable for passage of two vehicles at the same time, and also larger vehicle types as well as scope for refuse vehicles to sweep over footways and landscaped planters causing damage. To address this, the applicant has submitted amended details to the County and this now overcomes those previously held concerns on refuse vehicle tracking.

10.67. Access to the allotments will be retained off the primary street via a tertiary street to a car park within the allotments in the centre of the site as well as a pedestrian access to the east. Footpath access to the linear park and to the landscaped areas outside of the application site are proposed at numerous

points throughout the development. Two access points to Phase 2 (yet to come forward) is also proposed to the west.

10.68. It is considered the site is highly accessible and provides ease of connectivity within the Phase itself and beyond to the remainder of Barton Park and Barton Village.

10.69. County Highways have raised no objection on access and welcome the connectivity for pedestrians/cyclists between the new and existing community to the east through the use of bollards. However, County notes that it would be of added benefit for passage to be extended to emergency vehicles across these bollards.

Car parking

10.70. There are a total of 372 car parking spaces proposed across the site, proposed as a mix of allocated on plot parking bays, residential permit holder off plot parking and visitors permit controlled parking. Broken down the parking matrix is provided as follows:

Bedrooms	Total No. of Units	No. Units with 0,1 or 2 allocated spaces			Allocated Spaces	Unallocated Spaces	Total Spaces	Spaces per Dwelling
		0	1	2				
2	12	6	6	0	6	6	12	1.00
3	98	32	13	59	131	32	163	1.66
4	97	25	3	63	129	25	154	1.59
Visitors						43	43	0.21
TOTAL	207	63	22	122	266	106	372	1.80

10.71. On plot parking spaces are positioned on driveways adjacent to their property, which enables tertiary streets to be narrow. For housing off the primary street, opposite the proposed school playing field these are on plot which is a divergence from the original Design Code.

10.72. It is advised that in the future Barton Park will be subject to a CPZ and there will be restrictions on eligibility for permits ensuring all on street parking permits ensuring adequate supply for all residents across the site. This is in accordance with similar approaches already adopted for example on The Hills development Phase 1, Barton Park.

10.73. Phase 1 of this development have implemented a residents parking zone, also known as the Barton Park CPZ as agreed with the outline consent in order to control and manage the level of parking on the development streets. The RPZ will be controlled and enforced by the county council once the roads are adopted allowing only residents or their visitors to park within the designated spaces. It will also cover several short-stay on-street parking bays.

10.74. The adoption of these roads and the on-street parking bays is thus critical to the implementation of the Residents Parking Zone. In the interim period prior to the roads being adopted by the county council and the occupation of the dwellings, the developer shall be required to implement and enforce the RPZ.

10.75. Overall there is no objection by County Highways on parking and the development is considered to comply with policy HP16 of the Sites and Housing Plan.

Cycle parking

10.76. The Cycle Parking Strategy for the development is that all properties will have secure parking on plot within private gardens of houses and within a communal area on plot to the apartments. Each store is proposed to be integrated with the bin stores as part of a coherent design and have the capacity to store up to 4 bikes per store for the houses, and 2 bikes per apartments. It is considered this complies with policy HP15 of the Sites and Housing Plan.

10.77. 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 Environmental Management Plan

10.78. A Construction Environmental Management Plan has not been submitted with the application but is a requirement of the outline permission to be submitted and implemented accordingly.

Travel Plan

10.79. A Travel Plan has been submitted with the application for approval under the terms of the condition on the outline permission but County Highways have not indicated agreement at this stage.

g. Flooding and drainage

10.80. 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. Policy BA15 of the AAP seeks to reduce flood risk. Policy BA16 details the use of SUDS on site. Condition 25 of the outline application states that prior to the commencement of any phase of the development, details of the surface water drainage system shall be submitted for approval.

10.81. In line with the Environment Agency's comments, there are no objections to the development on flooding grounds. Whilst part of the larger Barton development falls within the flood zones, Phase 3 does not. Furthermore, floor levels are to be set at a minimum of 300m above the 1% AEP flood level.

- 10.82. In terms of drainage, much of the drainage strategy for Phase 3 relies on the overarching site wide strategy for the whole Barton development, with the drainage system for this phase discharging into the main drainage infrastructure for the larger development, and eventually into the Bayswater Brook. The system utilises attenuation both within the phases, and site wide systems.
- 10.83. The drainage strategy for Phase 3a relies on a combination of private drainage, highway drainage to be adopted by the highways authority (Oxfordshire County Council), and surface water sewers to be adopted by Thames Water. Maintenance responsibilities will be split between all of the above, and are outlined in the maintenance strategy submitted as part of the application.
- 10.84. Attenuation is provided via permeable paving, oversized pipes and attenuation tanks. The drainage strategy states that the amount of permeable paving is to be reduced, and geocellular tanks used to make up the shortfall in attenuation compared to the outline strategy. Officers however raise concerns regarding that as underground attenuation tanks do not provide the wider benefits of SuDS, and are a maintenance liability through operation and also must be replaced eventually. Oxford City Council and Oxfordshire County Council SuDS guidance both preclude the use of tanks, and require surface level attenuation. Any deviation from the outline strategy (such as this) should adhere to these standards.
- 10.85. Finally, the drainage strategy states that development requires the culverting of several watercourses, for which Land Drainage Consent must be obtained. Oxford City Council and Oxfordshire County Council generally have a policy of not allowing the culverting of open watercourses, therefore we would encourage the developer to avoid the need for this. Any previous correspondence giving support to this should be provided at time of application. Whilst it is noted that the County Council, as LLFA, have not objected, and their recommendations should be upheld, it is not recommended that this condition can be discharged at this time.

h. Biodiversity

- 10.86. 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

- 10.87. The impacts of the development of this site was assessed as part of the outline application and is updated by an ecological walkover of the site in accordance with condition 38 of the outline permission.
- 10.88. Submitted with the application is a Biodiversity Statement that contains results of the walkover and the details of measures to encourage wildlife and biodiversity in accordance with the environmental mitigation and management strategy and a timetable for its implementation, as required by condition 39.
- 10.89. The results of an ecological walkover of the site revealed that the site has been colonised by common and widespread ruderal and ephemeral plant species following previous site clearance/enabling works. Areas of retained vegetation trees and tall ruderal vegetation were noted adjacent to plots within the Site. The Site was found to have the potential to support commuting/foraging bats (in adjacent retained habitats), the potential for badgers to excavate setts in soil piles (no current evidence was noted), nesting birds in tall ruderal vegetation and adjacent habitats and other mammals (hedgehogs and brown hares).
- 10.90. Thus in order to provide ecological enhancement and mitigation, the following specific features are incorporated into the detailed design for Phase 3 of the development:
- Native species or species with a known wildlife benefit are included within areas of soft landscaping (i.e. pocket parks and green-space adjacent to the Linear Park in the north and allotments in the south);
 - The habitat provision described above will support and enhance the biodiversity value of the retained hedgerows (greenways) and Linear Park which have been retained and created as part of the first phase of works at Barton Park through the delivery of the infrastructure works.
 - 20 bat roosting opportunities; 10 in buildings backing/facing onto existing and newly created greenspace and 10 on trees will be provided during construction period;
 - 15 bird nesting opportunities; 5 starling boxes on retained trees close to the Linear Park and the allotment and 10 in buildings close to green infrastructure.
- 10.91. Mitigation measures during construction have also been included to ensure that impacts on protected/notable species present, or with the potential to be present, are avoided or mitigated for appropriately.
- 10.92. Officers have considered the ecological enhancements in the form of artificial roost features, with no clear provision for dedicated Swift boxes. Further there are concerns that there is a lack of information on other faunal enhancements proposed, such as hedgehog domes or other features, within Phase 3.
- 10.93. The updated ecological assessment was undertaken in accordance with the requirements of Condition 38 however it must be noted this survey is valid for

a period of no more than one calendar year. Should works not proceed by August 2019 an update survey will be required.

10.94. Overall it is considered that further works are necessary in respect of the requirements for ecological mitigation and management strategy required for Phase 3 before this can be discharged under conditions 38 and 39.

i. Air quality

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

10.96. An 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 to that end, a Construction Method Statement as a condition which will include details of the dust mitigation measures methodologies that will be required to be implemented on site.

10.97. On the outline permission condition 29 was imposed in respect of air quality monitoring across the development site as a whole and it is expected that the threshold for monitoring (being the occupation of the 300th dwelling) will occur during the construction of this Phase of the development. The landowner will therefore be required to monitor air quality on site for 12 months from that date.

10.98. Overall the proposal is considered to comply with policy CP23 of the Oxford Local Plan.

j. Energy strategy

10.99. 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. This is echoed in BA12 of the Barton AAP which states that at least 20% energy needs will be delivered through on site renewable or low carbon energy sources.

10.100. Condition 23 of the outline application requires that details of the compliance with the Energy Strategy and NRIA as submitted with the outline planning application documents shall be submitted to and approved in writing by the local planning authority.

10.101. This has been submitted by way of an Energy Statement which indicates that a range of energy demand reduction measures have been considered, including improvements in insulation specification, applying the principles of passive low energy design and high quality construction to minimise thermal

bridging and unwanted air leakage. Further, low and zero carbon energy systems have been considered for their suitability and feasibility of delivering remaining CO2 reductions required. This assessment concludes that due to the high carbon saving potential of the technology, solar PV systems are considered most appropriate.

10.102. Officers consider the package of measures will meet the 20% target as set by policy CS9 of the Core Strategy.

Other matters

10.103. Archaeology: Officers advise that archaeological assessment, evaluation and mitigation has been completed for the phase 3 area at Barton Park and that therefore no further archaeological work is required in relation to this reserved matters application.

10.104. Land contamination: Mitigation measures for construction in this area have been set out in the approved "Remediation Method Statement, Barton Park" (report ref: 11501549/06 Rev. 5.4 dated July 2015). Therefore, a verification report will be required to demonstrate that the remediation undertaken is in accordance with this approved report. Piled foundations are recommended for any load bearing structures within the footprint of the former landfill. Details of the piling methods, along with a risk assessment to establish whether the piling method would result in leachate migration, are required. Further, a ground and surface water monitoring plan is required, as stated in the approved Remediation Method Statement. This can be secured via a condition.

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. In summary, the principle of development has been established by the outline permission however the 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 development would provide an appropriate mix of units, and has been designed to a high standard which would help integrate the development with the existing Barton Village and the more contemporary elements of Barton Park. The landscaping is considered acceptable. 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.
- 11.5. 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 permission for the reserved matters application submitted under condition 3 of outline planning permission 13/01383/OUT.

12. CONDITIONS

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

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.
- 2 Notwithstanding the submitted plans, details of the proposed means of enclosure for all boundaries within this phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development above ground. The means of enclosure shall be provided in accordance with these approved details before the development hereby permitted is first occupied.

Reason: In the interests of visual and residential amenity in accordance with policies CP1 and CP9 of the Oxford Local Plan 2001-2016.
- 3 Details of the refuse storage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development

above ground. The refuse storage shall be installed prior to first occupation of the development and thereafter retained as agreed.

Reason: In the interests of residential amenity in accordance with policy CP1 and CP9 of the Oxford Local Plan 2001-2016

- 4 Prior to occupation of the development hereby permitted, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The verification report shall detail that the remediation measures undertaken were done so in accordance with the approved Remediation Method Statement (RMS) (report ref: 11501549/06 Rev. 5.4 dated July 2015) submitted as part of the outline planning application (13/01383/OUT). The requirements for the verification report are set out in the approved RMS.

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

- 5 Notwithstanding the submitted details, prior to commencement of the proposed development, a piling methods statement and risk assessment addressing the potential for leachate migration, as well as a ground water and surface water monitoring scheme shall be submitted to and approved by the Local Planning Authority. The ground water monitoring scheme shall detail an alternative off-site location between the landfill site boundary and Bayswater Brook and should include ammoniacal nitrogen and chloride to be tested as well as indicators of landfill leachate. Results of the ground and surface water monitoring scheme shall be included in the verification report required by Condition 4. The development shall be carried out in accordance with the approved details prior to occupation.

Reason - To ensure that any contamination resulting from the piling activities is identified and adequately addressed to ensure the safety of the development, the environment, and to ensure the site is suitable for the proposed use in accordance with policy CP22 of the Oxford Local Plan

- 6 A watching brief for the identification of unexpected contamination shall commence and be undertaken throughout the course of the development by a suitably competent person. If unexpected contamination is found to be present on the site, an appropriate specialist company and Oxford City Council shall be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. Details of the watching brief shall be submitted to and approved by the Local Planning Authority prior to occupation of the development

Reason - To ensure that any unexpected contamination is identified and appropriately addressed to ensure the safety of the development, the environment, and to ensure the site is suitable for the proposed use in accordance with Oxford Local Plan Policy CP22

- 7 The detailed design specification for the tree planting pits within the landscape scheme shall be submitted to and approved in writing by the local planning authority before development commences above ground. The details shall include the technical measures that will be put in place to ensure that the underground rooting environment is adequate to support the growth of trees to maturity and to ensure that hard surfaces are not damaged as the trees grow; along with tree support and irrigation details. The approved details shall be implemented on site and remain in place in perpetuity

Reason: In the interests of the safety and wellbeing of proposed trees on the application site in accordance with policies CP1, CP11, and NE16 of the Oxford Local Plan 2001-2016

- 8 Notwithstanding the submitted details, prior to development above ground, a scheme of ecological enhancements shall be submitted to and approved by the Local Planning Authority to ensure an overall and net gain in biodiversity will be achieved. Details shall be provided of all artificial roost features, including bird and bat boxes and a minimum of 20 dedicated swift boxes as well as details regarding faunal enhancements. The approved scheme shall be carried out in accordance with the approved details prior to first occupation.

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

13. APPENDICES

- **Appendix 1**

Decision notice for the outline planning permission
13/01861/OUT

14. HUMAN RIGHTS ACT 1998

- 14.1. 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.

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

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City Development

Planning Control and Conservation

E: planning@oxford.gov.uk F: 01865 252144

St Aldate's Chambers

109 – 113 St Aldate's
Oxford OX1 1DS

Central Number 01865 249811

www.oxford.gov.uk



On Behalf of: Barton Oxford LLP
C/o AECOM
Mr Paul Comerford
Midcity Place
71 High Holborn
London
WC1V 6QS

APPLICATION FOR PLANNING PERMISSION

Town and Country Planning Act 1990

DECISION DATE: 18th October 2013

PROPOSAL: Outline application (seeking means of access) for the erection of: A maximum of 885 residential units (Class C3); a maximum of 2,500 sqm gross Class A1, A2, A3, A4 and A5 uses (with a maximum of 2,000 sqm gross foodstore Class A1); a maximum of 50 extra care housing units; a maximum of 7,350 sqm GEA hotel (Class C1); a maximum of 3,000 sqm GEA Class D1, D2 floorspace (community hub and primary school); in development blocks ranging from 2 to 5 storeys with associated cycle and car parking, landscaping, public realm works, interim works and associated highway works. (Additional information - Landscape and Cultural Heritage Statement)

AT: Land West Of Barton North Of A40 And South Of Bayswater Brook Northern By-Pass Road Wolvercote

NOTICE OF GRANT OF OUTLINE PLANNING PERMISSION

13/01383/OUT

Following consideration of the application in respect of the proposal outlined above, it was resolved to **GRANT OUTLINE PLANNING PERMISSION** for the following reasons:-

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 2 The proposed development is submitted in outline only but with substantial supporting information to demonstrate that the proposed development would possess a scale and appearance that is appropriate to the site and its setting without resulting in unacceptable

harm to nearby residential areas or other interests of acknowledged importance, whilst providing much needed good quality affordable and market housing at a sustainable location. The proposals also provide for a new primary school with facilities shared with the local community, plus additional facilities for secondary education and a new commercial centre to complement existing facilities, all in accordance with the adopted policies of the Oxford Local Plan 2001 to 2016, the Oxford Core Strategy 2026, Oxford Sites and Housing Plan 2011 to 2026 and Barton Area Action Plan 2012. Accompanying the planning application is an Environmental Statement submitted under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Environmental Statement has been taken fully into account in assessing the planning application.

- 3 Officers have taken into account the comments made by statutory bodies, interested parties and private individuals, and note also the contents of the three petitions submitted. All are fully acknowledged. However Officers have concluded for the reasons set out in this report that the objections do not amount, individually or collectively, to reasons for refusal of the outline planning application, and that the issues that have been raised can be adequately addressed by the imposition of a range of planning conditions which would fix, amongst other matters, a series of Parameter Plans and a detailed Design Code, and by the completion of an accompanying legal agreement.

subject to following conditions, which have been imposed for the reasons stated:-

CONDITIONS:

- 1 Time Limits for Commencement.
The development hereby permitted shall be begun either before the expiration of 5 years from the date of this outline permission or from the expiration of 2 years from the date of approval of the last reserved matters to be approved, whichever is the later.

Reason: In accordance with Section 92(20) of the Town and Country Planning act 1990.
- 2 Approved Plans and Documents.
The development hereby permitted shall be carried out in accordance with the following approved documents and drawings:-
 1. Application Boundary Plan - 173602/LEG/004.
 2. Land Ownership - 173602/LEG/003.
 3. Access junction A.40 - 1549/GA/08 Rev B.
 4. Access to Barton Village Road - 1549-GA-01 Rev B.
 5. Access to Harolde Close - 1549-GA-02 Rev A.
 6. Parameter Plans:-
 - Parameter Plan 1 - Building Zone - 173603/PP/Plan 1 Rev J.
 - Parameter Plan 2 - Land Use - 173603/PP/Plan 2 rev H.
 - Parameter Plan 3 - Open space and landscape - 173603/PP/Plan 3 rev J.
 - Parameter Plan 4 - Movement and Access - 173603/PP/Plan 4 Rev I.
 - Parameter Plan 5 - Density - 173603/PP/Plan 5 rev H.
 - Parameter Plan 6 - Building Heights - 173603/PP/plan 6/01 Rev K.
 7. Development Specification
 8. Design Code Version 1, October 2013

All reserved matters applications will need to confirm compliance with the above documents and plans or in accordance with any minor modification agreed in writing beforehand by the local planning authority.

Reason: For the avoidance of doubt and to ensure the development accords with the outline planning permission and in accordance with policy BA 13 of the adopted Barton Area Action Plan 2012.

3 Reserved Matters Applications.

Prior to the commencement of development of any phase, except for enabling infrastructure works, full detailed drawings of the following matters must be submitted to and approved in writing by the local planning authority. The development shall be carried out only in accordance with such details:

- (i): layout;
- (ii): scale;
- (iii): appearance; and
- (iv): landscaping.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

4 Scheme of Enabling Infrastructure Works.

Prior to the commencement of development a scheme(s) of enabling infrastructure works shall be submitted and approved in writing by the Local Planning Authority. This shall include;

- Utility services;
- Earthworks;
- Drainage / attenuation;
- Roadworks.

The enabling works shall be carried out only as approved.

Reason: To avoid doubt and to ensure the timely implementation of the proposed development.

5 Phasing of Development.

No development shall commence, including enabling infrastructure works, until and unless a site wide phasing and implementation plan will be submitted to and approved in writing by the local planning authority. Amendments to the phasing and implementation plan shall be subject to obtaining prior written approval from the local planning authority.

Reason: To ensure an orderly form of development at all times, in accordance with policies CP1, CP19 and CP21 of the adopted Oxford Local Plan 2001 to 2016.

6 Materials.

Prior to the commencement of each reserved matters application or such other time as previously agreed in writing details of the proposed materials to be utilised within the reserved matters application to which it relates shall be submitted to the local planning authority and samples made available for inspection on site, to include;

- Brick types
- Paving
- Roof materials
- Rainwater goods
- Doors
- Windows

Only the materials as subsequently approved shall be utilised unless otherwise agreed in writing beforehand by the local planning authority.

Reason: In the interests of the visual amenities of the development in accordance with policies CP1 and CP8 of the adopted Oxford Local Plan 2001 to 2016.

- 7 Design Code Review.
The approved Design Code may be subject to review from time-to-time by agreement in writing of the local planning authority in consultation with the local highway authority but not prior to the 150th unit occupation or two years after commencement whichever is the sooner, unless also agreed in writing by the local planning authority. The review will be upon the request of either the local planning authority or the Barton LLP. Reserved matters applications made subsequent to the Design Code review shall be in compliance with the updated code.
- Reason: To avoid doubt and in the interests of the residential and visual amenities of the development, in accordance with policies CP1, CP6, CP8, CP9, CP10, CP11 and CP13 of the adopted Oxford Local Plan 2001 to 2016, policy CS18 of the adopted Oxford Core Strategy 2016 and policy HP9 of the adopted Oxford Sites and Housing Plan 2013.
- 8 Restrict Non - Food Sales at Supermarket.
Not more than 15% of the net sales area of the permitted supermarket shall be used for non-food sales.
- Reason: To ensure that the supermarket serves local needs in accordance with Policy BA10 of the adopted Oxford Barton Area Action Plan 2012.
- 9 Landscaping and Public Realm.
Prior to the commencement of each reserved matters application, except enabling infrastructure works, or such later period as previously agreed in writing, a landscape plan shall be submitted to and approved in writing by the local planning authority for that reserved matters application. The plan shall show in detail all proposed tree and shrub planting, treatment of paved areas, tree pit details, details of street furniture and areas to be grassed or finished in a similar manner.
- Reason: In the interests of visual appearance of the conservation areas which lie adjacent to the development, in accordance with policies CP1, CP11, NE15 and NE16 of the adopted Oxford Local Plan 2001 to 2016.
- 10 Landscape Implementation.
The landscaping proposals as approved by the local planning authority shall be carried out in the first planting season following substantial completion of the phase or sub phase of development if this is after 1st April. 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 Oxford Local Plan 2001 to 2016.
- 11 Tree Protection Plan.
Prior to the commencement of each reserved matters application including enabling works, a tree protection plan shall be submitted to and approved in writing by the local planning authority in accordance with BS 5837 (2012). Approved protection measures, including fencing shall be maintained during the course of development operations where such works would have an effect on those trees. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing by the local planning authority.
- Reason: In the interests of the safety and well being of existing trees on the application site, in accordance with policies CP1, CP11, NE15 and NE16 of the adopted Oxford Local Plan

2001 to 2016.

- 12 Landscape Management Plan.
Prior to the first occupation within each reserved matters application, or such other later period as previously agreed in writing, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for landscaped areas within each reserved matters application, (other than private domestic gardens), shall be submitted to, and approved in writing by, the local planning authority. The landscape management plan shall be implemented only as approved.
- Reason: In the interests of amenity and the appearance of the area in accordance with policies CP1 and CP11 of the adopted Oxford Local Plan 2001 to 2016.
- 13 Sports Pitches.
Prior to the redevelopment of the existing adult football pitch, a scheme to protect and ensure the continuity of sports facility provision for existing users shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and ensure that alternative facilities are made available and are as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality. The approved scheme shall be complied with in full throughout the carrying out of the development. The sports pitches to serve the development shall be provided to the following dimensions accordingly, unless otherwise agreed in writing beforehand by the local planning authority:
- The adult playing pitch shall be provided to a minimum dimension of 100 metres by 64 metres excluding run - off.
 - The Multi Use Games Area (MUGA) shall be provided to a minimum dimension of 39 metres by 26 metres.
 - The Junior Pitch (3G Synthetic pitch) shall be provided to a minimum dimension of 78 metres by 52 metres including run - off.
 - The replacement pavilion shall be provided to a minimum floor area of 300 sq m.
- Reason: To provide adequate replacement and new sporting facilities in accordance with policy BA2 of the adopted Barton Area Action Plan 2012.
- 14 Withdrawal of Permitted Development Rights.
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order) (with or without modification) no development falling within the following Classes of the Order shall be carried out without the prior written approval of the local planning authority:-
- Schedule 2, Part 1, Classes A, B, C, D, E, F, G, J, H and K.
 - Schedule 2, Part 2, Classes A, B and C.
 - Schedule 2, Part 32, Class A.
 - Schedule 2, Part 40, Class A, B, C, D, E, F, G, H and I.
 - Schedule 2, Part 43, Class A, B, C, D, E and F.
- Reason: To comply with the approved Design Code in the interests of residential and visual amenities of the development, and in accordance with policies CP1, CP6, CP8, CP9, CP10, CP11 and CP13 of the adopted Oxford Local Plan 2001 to 2016; policy CS18 of the adopted Oxford Core Strategy 2026; policy HP9 of the adopted Oxford Sites and Housing Plan 2013 and policy BA13 of the adopted Barton Area Action Plan 2012.
- 15 Lifetime Homes Standards.
All residential units will be built to Lifetime Homes standards unless it can be demonstrated or justified to the local planning authority that meeting these standards is not achievable.
- Reason: To ensure compliance with the requirements of policy HP2 of the adopted Oxford

Sites and Housing Plan 2011 to 2026.

16 Car Parking Standards.

The car parking to serve the development shall be provided taking into account the Transport Assessment as submitted and the adopted Oxford Sites and Housing Plan 2013 unless otherwise agreed in writing by the local planning authority. No dwelling or other buildings and uses shall be occupied or implemented until car parking space (s) to serve them have been provided accordingly. All car parking shall be retained at all times thereafter, unless otherwise agreed in writing beforehand by the local planning authority.

Reason: To ensure appropriate levels of car parking are available at all times to serve the development, in accordance with policy TR3 and Appendix 3 of the adopted Oxford Local Plan 2001 to 2016 and policy HP16 and Appendix 8 of the adopted Oxford Sites and Housing Plan 2013.

17 Cycle Parking Standards.

The cycle parking to serve the development shall be provided in accordance with the standards laid down in policy TR4 and Appendix 4 of the adopted Oxford Local Plan in relation to non-residential uses, and policy HP15 of the Sites and Housing Plan 2013 for residential properties. The cycle parking related to a phase or sub phase shall be provided in covered, secure conditions wherever possible and retained at all times thereafter, unless otherwise agreed in writing beforehand by the local planning authority. No dwelling or other buildings and uses shall be occupied or implemented until appropriate cycle parking has been provided accordingly.

Reason: To ensure appropriate levels of cycle parking are available at all times to serve the development, in accordance with policy TR4 and Appendix 4 of the adopted Oxford Local Plan 2001 to 2016 and policy HP15 8 of the adopted Oxford Sites and Housing Plan 2013.

18 Servicing and Deliveries.

Prior to the commencement of the non-residential development reserved matters application to which it relates, or such other period as otherwise agreed in writing beforehand by the local planning authority, details of delivery times and servicing arrangements for all non - residential elements of the development shall be submitted to and approved in writing by the local planning authority. There shall be no variation to the approved details without the prior written approval of the local planning authority. No deliveries shall take place outside the hours of 6.30am to 11pm unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of the residential amenities of neighbouring occupiers in accordance with policies CP1, CP6, CP8, CP9, CP10, CP11 and CP13 of the adopted Oxford Local Plan 2001 to 2016, policy CS18 of the adopted Oxford Core Strategy 2016 and policy HP9 of the adopted Oxford Sites and Housing Plan 2013.

19 Access.

Vehicular access, either direct or indirect, from the A40 to all parts of the development hereby permitted shall only be provided by one new permanent access junction from the A40 in accordance with approved plan 1549/GA/08 REV B .

Reason: In the interests and highway safety and in accordance with policy BA6 of the adopted Barton Area Action Plan 2012.

20 Highways: Travel Plan.

Prior to the first occupation of a residential unit within a phase, a Travel Plan shall be submitted to and approved in writing by the local planning authority in consultation with the local highway authority. The Travel Plan shall be in accordance with the Framework Travel

Plan, unless otherwise agreed in writing by the local planning authority submitted as part of the planning application and shall include details of the means of regulating the use of private cars at the development in favour of other modes of transport and the means of its implementation and methods of monitoring. The approved requirements shall be put in place prior to first occupation of the relevant phase. There shall be no variation to the details agreed without the prior written approval of the local planning authority. Separate Travel Plans shall be submitted with reserved matters applications for the non-residential elements of the development; the primary school and foodstore / hotel and shall encompass the same principles in favour of non car modes of transport.

Reason. To limit the number of journeys by the private motor car and reduce the pressure for car parking in the locality, in accordance with policies CP1, TR2, TR3 and TR12 of the adopted Oxford Local Plan 2001 to 2016.

21 Public Transport Provision.

In the event that the land within the application boundary required to construct access to Foxwell Drive, (Proposed Access Junction to A40 - approved drawing 1549/GA/08 REV B), is registered as a town green, then details of alternative public transport serving the site shall be submitted to and agreed by the local planning authority in consultation with the local highway authority.

Reason: To ensure that adequate public transport is provided for future residents of the site, in accordance with policy TR7 of the adopted Oxford Local Plan 2001 to 2016.

22 Construction Environmental Management Plan.

Prior to the commencement of enabling works a site- wide Construction Environmental Management Plan (including a Construction Travel Plan) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following matters;

- signage for construction traffic, pedestrians and other users of the site;
- controls on arrival and departure times for construction vehicles;
- piling methods (if employed);
- earthworks; -
- hoardings to the site, including future development plots on adjacent land;
- noise limits;
- hours of working;
- vibration;
- control of emissions;
- waste management and disposal, and material re use;
- prevention of mud / debris being deposited on public highway;
- protection of 8m buffer zone to Bayswater Brook;
- materials storage; and hazardous material storage and removal.

The approved Construction Environmental Management Plan shall be implemented accordingly.

Reason: In the interests of the residential amenities of neighbouring occupiers, in accordance with policies CP1, CP19 and CP21 of the adopted Oxford Local Plan 2001 to 2016.

23 Sustainability and Energy Strategy.

Upon submission of each reserved matters application to which it relates, or such other period as otherwise agreed in writing beforehand by the local planning authority, details of the compliance with the Energy Strategy and NR1A as submitted with the planning application documents shall be submitted to and approved in writing by the local planning authority. The features as approved shall be incorporated into the development prior to its first occupation. The strategy shall demonstrate that across the totality of the development the overall target

of 20% of energy requirements will be delivered through on-site renewable or low-carbon energy sources. Each subsequent reserved matters application will be required to update this strategy and identify its renewable energy contribution, set against the site wide cumulative contribution.

Reason: In the interests of sustainability, in accordance with policy CS.9 of the adopted Oxford Core Strategy 2026.

24 Site Wide Surface Water Drainage.

No phase of the development shall take place until such time as a detailed site wide surface water drainage scheme shall be submitted to and approved in writing by the local planning authority in consultation with Oxfordshire County Council and Environment Agency unless otherwise agreed in writing beforehand by the local planning authority, The surface water management scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, as set out by the WSP Flood Risk Assessment (FRA) (ref: T30514 FRA, dated May 2013), WSP Surface Water and Design Statement (ref: T30514 SW, dated May 2013) and SuDS Statement (dated May 2013) and incorporating a range of source control, local and regional sustainable drainage features has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall include:

- Limiting of the rates and volumes of surface water runoff to the QBar rates detailed in table 3.3 of the FRA
- Detailed surface water calculations for all rainfall events up to and including the 1 in 100 year plus 30% for climate change.
- Details to confirm that surface water runoff from the site is not discharged into on-site watercourses which are critical in draining off-site catchments
- Details of how any contamination and groundwater risks will be mitigated.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: In accordance with policy CS11 of the adopted Oxford Core Strategy 2026.

25 Phased Surface Water Drainage Scheme.

Prior to the commencement of any phase of development, except for enabling works, details of the Surface Water Drainage System for that phase shall be submitted to and approved in writing by the local planning authority in consultation with Oxfordshire County Council and Environment Agency. The water drainage system as approved shall be in accordance with the agreed Site Wide Surface Water Scheme (above) and include details of the design, location and capacity of all such sustainable drainage features.

Reason: In accordance with policy CS11 of the adopted Oxford Core Strategy 2026.

26 Foul Water Drainage Scheme.

Prior to the commencement of enabling infrastructure works relating to drainage, a foul water strategy which demonstrates that sufficient capacity exists to cater for the needs of the development shall be submitted to and approved in writing by the local planning authority in consultation with Thames Water Utilities or its successor as sewage undertaker. With each reserved matters application details of the foul drainage system proposed for each phase or sub phase of development shall be submitted to and approved in writing by the local planning authority in conjunction with the sewage undertaker. No discharge of foul water shall take place into the public system until construction of the system has been completed as approved. The drainage scheme shall be maintained and managed at all times until adopted

by the appropriate organisation unless otherwise agreed in writing beforehand by the local planning authority.

Reason: In accordance with policy NE14 of the adopted Oxford Local Plan 2001 to 2016.

27 Flooding.

The development permitted by this planning permission shall only be carried out in accordance with the approved WSP Flood Risk Assessment (FRA) (ref: T30514 FRA, dated May 2013), WSP Surface Water and Design Statement (ref: T30514 SW, dated May 2013) and SuDS Statement (dated May 2013) the following mitigation measures detailed within the Flood Risk Assessment:

- There shall be no built development in the 1 in 100 year plus climate change flood extent.
- Finished floor levels in the northern part of the site to be set no lower than 450mm above the 1 in 100 year plus climate change flood level for that location.
- Surface water catchment control features to be located outside the 1 in 100 year plus climate change flood extent.
- At the detailed design stage surface water outfalls and storage arrangements shall be hydraulically tested against the fluvial 1 in 100 year plus climate change flood.
- The mitigation measures related to each phase or sub phase shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority in consultation with the Environment Agency.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with policy CS11 of the adopted Oxford Core Strategy 2016.

28 Ground Contamination and Remediation.

Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the local planning authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A site investigation scheme, based on (Phase 1, Ground condition Report, Peter Brett Associates, June 2009, 22485-006) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

There shall be no variation to these requirements without the prior written approval of the local planning authority, and the scheme shall be implemented only as approved.

Reason: As previous activities at the site may have resulted in contamination of the land, and in order to ensure the development does not contaminate controlled waters, in accordance with policy CP22 of the adopted Oxford Local Plan 2001 to 2016.

29 Air Quality: Monitoring.

Prior to the commencement of the development, or such other time as previously agreed in writing, details of an air quality monitoring programme shall be submitted to and approved in writing by the local planning authority. The programme shall include air quality monitoring at

agreed locations in or adjacent to the development which shall be undertaken following the occupation of the 300th, 550th and 800th residential units, with the results of the monitoring submitted to the local planning authority within 2 months of its compilation.

Reason: As the development may give rise to increases in air pollutants, in accordance with policy CP23 of the adopted Oxford Local Plan 2001 to 2016.

30 Piling.

There shall be no use of piling or other foundation designs using penetrative methods without the prior written approval of the local planning authority, other than for those parts of the site where it has been demonstrated to the local planning authority beforehand that there is no resultant unacceptable risk to groundwater.

Reason: To prevent unauthorised piling through contaminated ground, in accordance with policies NE12 and NE13 of the adopted Oxford Local Plan 2001 to 2016

31 Petrol / Oil Interceptors.

Prior to the commencement of the reserved matters application to which it relates, or such other period as otherwise agreed in writing beforehand by the local planning authority, a scheme to prevent petrol / oil entering into the ground from surface areas used by vehicular traffic shall be submitted to and approved in writing by the local planning authority. The details as approved shall be implemented prior to the first occupation of that phase or sub phase of development to which it relates and shall be retained at all times thereafter unless otherwise agreed in writing beforehand by the local planning authority.

Reason: To prevent oil polluted discharges entering local watercourses, in accordance with policies NE.12 and NE.13 of the adopted Oxford Local Plan 2001 to 2016.

32 Noise Attenuation.

Prior to the commencement of the reserved matters application for affected residential units adjacent to the A40 or electricity substation, or such other period as otherwise agreed beforehand by the local planning authority, a scheme of mitigation measures required for the affected units shall be provided to meet the noise levels set within the Environmental Statement accompanying the planning application shall be submitted to and approved in writing by the Local Planning Authority:-

- 30 dB LAeq, 8hr (bedrooms) within all residential units.
- 35 dB LAeq, 16hr (living rooms) within all residential units.

The approved measures shall also seek to mitigate as far as practicable noise emitted from the sub station where its tonal character would impair the amenities of neighbouring occupiers. The measures as approved shall be fully incorporated into the affected accommodation prior to its first occupation and retained at all times thereafter.

Reason: To safeguard the amenities of the occupiers of the proposed development, in accordance with policies CP19 and HS19 of the adopted Oxford Local Plan 2001 to 2016.

33 Mechanical Plant.

Prior to the commencement of the reserved matters application to which it relates, or such other period as otherwise agreed in writing beforehand by the local planning authority, details of the proposed mechanical plant to serve non-residential elements of the development including anticipated sound attenuation measures shall be submitted to and approved in writing by the local planning authority. The details as approved shall be incorporated into the development prior to the first occupation of the accommodation to which it relates or is affected and retained at all times thereafter unless otherwise agreed in writing beforehand by the local planning authority.

Reason: In the interests of amenity, in accordance with policy CP19 of the adopted Oxford Local Plan 2001 to 2016.

34 Cooking Smells.

Prior to the commencement of the reserved matters application to which it relates, or such other period as otherwise agreed beforehand by the local planning authority, a scheme for treating cooking fumes and odours from non residential elements of the development before their emission to the atmosphere so as to render them innocuous shall be submitted to and approved in writing by the local planning authority. Any such works that form part of the scheme shall be completed before the development to which it relates is occupied and should include the use of grease filters and other specialist filtering and deodorising equipment that will be serviced and maintained according to the manufacturers recommendations.

Reason: In the interests of residential amenity, in accordance with policies CP19 and HS19 of the adopted Oxford Local Plan 2001 to 2016.

35 Protection of Sidlings Copse.

Prior to the occupation of the development, (except for enabling infrastructure works), or such other time as agreed in writing beforehand, details of the measures to protect the Sidlings Copse and College Pond Site of Special Scientific Interest (SSSI) from damage and to maintain its nature conservation value, together with details of its future management regime, shall be submitted to and approved in writing by the local planning authority in consultation with Christ Church and the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust and implemented prior to the first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority. There shall be no variation to the approved details without the further prior written approval of the local planning authority.

Reason: In the interests of the biodiversity of the Site of Special Scientific Interest, in accordance with policy CS12 of the adopted Oxford Core Strategy 2026.

36 Grassland Mitigation.

Prior to the commencement of the development except for enabling infrastructure works, or such other time as agreed in writing beforehand, details of the replacement lowland grassland to be created in compensation for that lost on the application site together with details of its future management regime in compliance with the "Pilot Biodiversity Offset Mechanism" or its future equivalent shall be submitted to and approved in writing by the local planning authority. The submitted details shall include an implementation strategy to ensure that the lowland grassland is provided and implemented as approved. There shall be no variation to the approved details without the further prior written approval of the local planning authority.

Reason: In the interests of biodiversity, in accordance with policy CS12 of the adopted Oxford Core Strategy 2026.

37 Training and Employment Strategy.

Prior to the commencement of the development, (except for enabling infrastructure works), a scheme to promote local training and employment as part of the implementation and operation of the development shall be submitted to and agreed in writing by the local planning authority. The scheme as approved shall be implemented and monitored in accordance with details which shall also have been submitted and agreed in writing by the local planning authority prior to the commencement of the development.

Reason: To promote opportunities for local training and employment, in accordance with the principles embodied in policy EC8 of the adopted Oxford Local Plan 2001 to 2016.

- 38 Repeat Ecological Surveys.
Notwithstanding the baseline ecological survey data submitted with the outline planning application, if the development permitted or any works of demolition are scheduled to take place more than 1 calendar year following that survey, then a walkover survey shall be completed by a suitably qualified ecologist to verify baseline conditions for that phase. Following the walkover survey, a phase specific remediation strategy (i.e. ecological mitigation and management strategy) shall be submitted to and agreed in writing by the local planning authority. The development shall only be undertaken in accordance with the approved remediation strategy.

Reason: To ensure the wellbeing of wildlife which may exist on the site, in accordance with policy NE.21 of the adopted Oxford Local Plan 2001 to 2016.

- 39 Habitat Creation.
Prior to the commencement of the reserved matters application to which it relates, or such other period as otherwise agreed beforehand by the local planning authority, details of measures to encourage wildlife and biodiversity in accordance with the environmental mitigation and management strategy and a timetable for its implementation shall be submitted to and approved in writing by the local planning authority. Such measures as approved shall be implemented prior to the first occupation of the phase of development to which it relates unless otherwise agreed in writing beforehand by the local planning authority.

Reason: In the interests of wildlife conservation and promotion, in accordance with policy HE23 of the adopted Oxford Local Plan 2001 to 2016.

- 40 Archaeology.
Prior to the commencement of the development or such other period as otherwise agreed in writing beforehand by the local planning authority, the developer shall:
- carry out an archaeological evaluation of the site in accordance with a written scheme of investigation approved in writing by the local planning authority; and
 - secure the implementation of a scheme of mitigation of any archaeological impact which may be achieved by redesign or by archaeological recording action in accordance with a supplementary written scheme of investigation to be approved by the local planning authority.

Reason: As the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, in accordance with policy HE2 of the adopted Oxford Local Plan 2001 to 2016.

- 41 Linear Park.
Prior to commencement of any phase of development adjacent to the proposed linear park, details for the design and landscaping of that part of the park shall be submitted to and approved in writing by the local planning authority in consultation with Oxfordshire County Council where the works involved affect a public right of way. The submitted details shall include:-
- proposed planting scheme indicating the extent and layout of an 8m wide buffer zone to the Bayswater Brook; and
 - proposed footpaths, fencing, lighting details etc.

The approved details shall be implemented prior to the first occupation of the phase or development to which it relates and shall be retained at all times thereafter, unless otherwise agreed in writing beforehand by the local planning authority,

Reason: To ensure the timely provision of open space to serve residential development; to conserve and enhance the natural and local environment by minimising impacts on

biodiversity; and provide net gains in biodiversity where possible, in accordance with policy CS12 of the adopted Oxford Core Strategy 2026.

INFORMATIVES :-

- 1 Site wide phases of development and construction sub phases (including detailed phases), shall be defined and agreed as part of the Site Wide Phasing and Implementation Plan required by condition no. 5 above. Reserved matters planning applications may be submitted for any phase or sub phase of development as defined within the Phasing Plan. A sub phase could, for example, comprise of a single dwelling.
- 2 To avoid doubt the reserved matters applications to be submitted pursuant to this outline permission shall include the following:
 - boundary treatments;
 - lighting; and
 - ecological enhancement measures.
- 3 In this permission "prior to commencement" shall mean commencement of approved works pursuant to that reserved matters application..
- 4 In this permission "enabling works" shall exclude the following which do not require planning permission to be obtained:
 - site clearance;
 - undergrounding of cables;
 - diversion and laying of services in connection with works for construction purposes;
 - landscape maintenance measures;
 - construction access;
 - site investigations;
 - the erection of temporary means of enclosure;
 - ecological management measures.
- 5 The Design Code Review if undertaken shall seek to address solutions where the development is not delivering high quality environments in urban design, movement and architectural terms.
- 6 A grass pitch shall be provided as part of the primary school with the provision for joint use with the community. The pitch shall be laid in accordance in line with the requirements of the local education authority and Sport England guidelines.
- 7 In addition to the noise attenuation measures required by condition to this permission, a daytime external noise level for gardens and external areas of 55 LAeq 16hr will be sought wherever possible.
- 8 The design of floodlighting scheme for the synthetic turf pitch shall have regard to the "Football Association Guide to Floodlighting".
- 9 The design of the Multi Use Games area (MUGA) shall have regard to "Artificial Surfaces for Outdoor Sport" updated guidance 2012, and "Artificial Sports Lighting", updated guidance 2012.
- 10 The design of the proposed sports pavilion shall have regard to guidance published by Sport England, "Pavilions and Clubhouses".
- 11 The synthetic turf pitch construction and maintenance arrangements shall have regard to the "Football Association Guide to 3G Football Turf Pitch Design Principles and Layouts".

- 12 Oxford City Council strongly encourages that when this permission is implemented, all building works and the management of the development site are carried out in accordance with the Code of Considerate Practice promoted by the Considerate Contractors scheme. Details of the scheme are available from

Considerate Contractors Scheme
PO Box 75
Ware
Hertfordshire
SG12 9UY

01920 485959
0800 7831423

enquiries@ccscheme.org.uk
www.considerateconstructorsscheme.org.uk

- 13 All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The City Council advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.
- 14 The applicant is kindly requested to give the Council's Tree Officer 14 days prior notice in writing of any approved tree works that are to be undertaken as part of this development. This will enable the Council to inform local Councillors about imminent tree works, who can then answer enquiries from members of the public. Tree works, in particular tree felling associated with development, are often controversial and this information is requested because it will assist in reducing the potential for conflict when tree works are taking place.
- 15 The Council has worked positively and proactively with the applicant(s) and their agent(s), including providing pre-application advice, discussions during the course of determination of the application with the opportunity to submit amended proposals where appropriate in order to implement planning policy objectives, secure sustainable development and satisfy the requirements of the National Planning Policy Framework and policy MP1 of the adopted Sites and Housing Plan 2013.
- 16 To avoid doubt public art shall mean works of adornment or decoration to the development or its surroundings, whether freestanding or otherwise, which can be viewed and enjoyed by the public at large.

PLEASE NOTE All local plan policies and proposals which are relevant to this decision are specified in the list below which forms part of this decision notice.

CP1 - Oxford Local Plan 2001-2016
Development Proposals - Sets out key criteria expected from new development.

CP9 - Oxford Local Plan 2001-2016

Creating Successful New Places - Sets out criteria required from development to create a successful public realm.

CP5 - Oxford Local Plan 2001-2016

Mixed-Use Developments - Requires development to maintain or enhance the mix of uses in a particular area

CP6 - Oxford Local Plan 2001-2016

Efficient Use of Land and Density - Requires development to make maximum and appropriate use of land.

CP8 - Oxford Local Plan 2001-2016

Designing Development to Relate to its Context - Sets out criteria required from development to demonstrate that it will respect the local context.

CP10 - Oxford Local Plan 2001-2016

Siting of Development to Meet its Functional Needs - Sets out criteria required from development to ensure functional needs are met.

CP11 - Oxford Local Plan 2001-2016

Landscape Design - Requires development to incorporate appropriate hard and soft landscaping.

CP13 - Oxford Local Plan 2001-2016

Accessibility - Requires development to make reasonable provision for access by all members of the community.

CP14 - Oxford Local Plan 2001-2016

Public Art - Seeks the provision of public art in association with major development.

CP17 - Oxford Local Plan 2001-2016

Recycled Materials - Requires the use of recycled or reclaimed materials in developments above a certain threshold.

CP18 - Oxford Local Plan 2001-2016

Natural Resource Impact Analysis - Requires the submission of an NRIA in association with developments above a certain threshold.

CP20 - Oxford Local Plan 2001-2016

Lighting - Prevents development that would result in unacceptable levels of light pollution and light spillage.

CP21 - Oxford Local Plan 2001-2016

Noise - Sets out considerations that apply to developments that cause noise, and developments that are sensitive to noise.

CP22 - Oxford Local Plan 2001-2016

Contaminated Land - Sets out the considerations that apply to development on or near to former landfill sites or other contaminated land.

CP23 - Oxford Local Plan 2001-2016

Air Quality Management Areas - Prevents development that would have a net adverse impact on air quality in the AQMA or in other areas of poor air quality.

TR1 - Oxford Local Plan 2001-2016

Transport Assessments - Sets out when a transport assessment will be required as part of development proposals.

TR2 - Oxford Local Plan 2001-2016

Travel Plans - Sets out when a travel plan will be required as part of development proposals.

TR3 - Oxford Local Plan 2001-2016

Car Parking Standards - Sets maximum car parking standards and identifies the Transport Central Area and Transport District Areas.

TR4 - Oxford Local Plan 2001-2016

Pedestrian and Cycle Facilities - Seeks to secure pedestrian and cycle facilities as part of development proposals. Sets cycle parking standards.

TR5 - Oxford Local Plan 2001-2016

Pedestrian and Cycle Routes - Lists proposed improvements to pedestrian and cycle routes.

TR7 - Oxford Local Plan 2001-2016

Bus Service and Bus Priority - Supports improvements to bus services and lists key routes for bus priority improvements.

TR13 - Oxford Local Plan 2001-2016

Controlled Parking Zones - Supports the implementation or extension of Controlled Parking Zones through, where appropriate, S106 agreements.

TR14 - Oxford Local Plan 2001-2016

Servicing Arrangements - Sets out criteria for servicing arrangements in commercial developments.

NE4 - Oxford Local Plan 2001-2016

Loss of Agricultural Land - Sets out a sequential approach to development on agricultural land.

NE6 - Oxford Local Plan 2001-2016

Oxford's Watercourses - Seeks to ensure that waterside development proposals compliment and enhance the waterside setting.

NE11 - Oxford Local Plan 2001-2016

Land Drainage and River Engineering Works - Seeks to protect the flora and fauna of Oxford's flood meadows and other wetland habitats, particularly from culverting.

NE12 - Oxford Local Plan 2001-2016

Groundwater Flow - Seeks to prevent adverse impacts on groundwater flow.

NE13 - Oxford Local Plan 2001-2016

Water Quality - Seeks to maintain surface and groundwater quality.

NE14 - Oxford Local Plan 2001-2016

Water and Sewerage Infrastructure - Seeks to ensure that sufficient water and sewerage capacity exists in time to serve new development

NE15 - Oxford Local Plan 2001-2016

Loss of Trees and Hedgerows - Protects trees and hedgerows if their loss would have a significant impact on public amenity or ecological interest.

NE20 - Oxford Local Plan 2001-2016

Wildlife Corridors - Sets out policy approach to designated Wildlife Corridors.

NE21 - Oxford Local Plan 2001-2016

Species Protection - Protects plant and animal species for which there is a statutory duty to protect under other legislation.

NE22 - Oxford Local Plan 2001-2016

Independent Assessment - Requires ecological assessment of development proposals that might affect designated sites or protected species.

NE23 - Oxford Local Plan 2001-2016

Habitat Creation in New Developments - Supports the creation of new habitats or habitat enhancement as part of development proposals.

HE2 - Oxford Local Plan 2001-2016

Archaeology - Identifies the City Centre Archaeological Area and sets out approach to the investigation, recording and conservation of archaeological deposits.

HE7 - Oxford Local Plan 2001-2016

Conservation Areas - Identifies Conservation Areas and sets out approach to development within Conservation Areas.

CS1_ - Core Strategy

Hierarchy of Centres - Sets out the hierarchy and role of different types of centres.

CS3_ - Core Strategy

Regeneration Areas - Identifies priority regeneration areas and sets out the approach to regeneration in those areas.

CS7_ - Core Strategy

Land at Barton - Allocates land at Barton as a strategic location for predominantly housing development.

CS9_ - Core Strategy

Energy and Natural Resources - Requires development to demonstrate how sustainable design and construction methods will be incorporated.

CS10_ - Core Strategy

Waste and Recycling - Requires development to have regard to the waste management hierarchy.

CS11_ - Core Strategy

Flooding - Sets out approach to development in the flood plain and other flood zones, and to reducing flood risk from all development.

CS12_ - Core Strategy

Biodiversity - Requires development to maintain and where appropriate enhance biodiversity.

CS13_ - Core Strategy

Supporting access to new development - Requires development to prioritise access by walking, cycling and public transport, and sets out approach to access at the strategic locations.

CS14_ - Core Strategy

Supporting city-wide movement - Promotes improvements in access to and between the city and district centres, and other key destinations.

CS15_ - Core Strategy

Primary Healthcare - Sets out approach to the provision of primary healthcare facilities.

CS16_ - Core Strategy

Access to education - Sets out approach to the provision of education facilities.

CS17_ - Core Strategy

Infrastructure and developer contributions - Sets out approach to the provision of infrastructure improvements and developer contributions.

CS18_ - Core Strategy

Urban design, townscape character and the historic environment - Sets out urban design principles and requires development to respect Oxford's unique townscape and historic environment.

CS19_ - Core Strategy

Community safety - Requires development to promote safe and attractive environments that reduce the opportunity for crime and fear of crime.

CS20_ - Core Strategy

Cultural and community development - Sets out approach to the retention of cultural and community facilities, and the provision of new facilities.

CS21_ - Core Strategy

Green spaces, leisure and sport - Policy seeking the maintenance of an average of 5.75 ha of publicly accessible green space per 1000 population.

CS22_ - Core Strategy

Level of housing growth - Sets out the amount of housing to be provided over the plan period.

CS23_ - Core Strategy

Mix of housing - Seeks to achieve a balanced mix of housing within each site and across the city.

CS24_ - Core Strategy

Affordable housing - Sets out approach towards the provision of affordable housing from residential development on qualifying sites and from some commercial development.

CS31_ - Core Strategy

Retail - Defines the retail hierarchy and sets out approach to retail development.

HP2_ - Sites and Housing Plan

Accessible and Adaptable Homes - Policy requiring new dwellings to meet Lifetime Homes standards and provide a percentage of wheelchair accessible dwellings

HP12_ - Sites and Housing Plan

Indoor Space - Policy setting out minimum internal space requirements and related criteria for residential dwellings

HP13_ - Sites and Housing Plan

Outdoor Space - Policy setting out criteria for appropriate levels of outdoor space in residential developments, and requiring adequate provision for the safe, discrete and conveniently accessible storage of refuse and recycling

HP14_ - Sites and Housing Plan

Privacy and Daylight - Policy setting out criteria for assessing whether residential development provides an appropriate degree of privacy and daylight for the occupants of both existing and new homes

HP15_ - Sites and Housing Plan

Residential cycle parking - Policy setting out minimum standards for cycle parking in residential developments

HP16_ - Sites and Housing Plan

Residential car parking - Policy setting out maximum standards for car parking in residential developments

MP1 - Barton AAP - Submission Document

Policy requiring the Council to work positively and proactively with the applicant/agent.

HP3_ - Sites and Housing Plan

Affordable Homes from Large Housing Sites - Policy setting out the City Council's approach to affordable housing provision and contributions from residential development on sites with a capacity of 10 or more dwellings, or which have an area of 0.25 hectares or greater

HP11_ - Sites and Housing Plan

Low Carbon Homes - Policy requiring qualifying developments to provide 20% of their energy needs from on-site renewable or low carbon technologies, and requiring an energy statement from all development proposals to show how energy efficiencies have been incorporated

HP12_ - Sites and Housing Plan

Indoor Space - Policy setting out minimum internal space requirements and related criteria for residential dwellings

BA1_ - Barton AAP - Submission Document

Transforming the ring-road - Policy to ensure that appropriate traffic management measures are put in place deliver a 40mph zone fronting the development.

BA2_ - Barton AAP - Submission Document

Recreation ground - Policy to ensure that the recreation ground and sports pitches are maintained and there is no net loss of this type of space.

BA3_ - Barton AAP - Submission Document

Allotments - Policy to ensure that an area of allotments is maintained on site.

BA4_ - Barton AAP - Submission Document

Linear Park - Policy to ensure that at least 10% of the Strategic Development Site will be public open space which will take the form of a linear park along Bayswater Brook.

BA5_ - Barton AAP - Submission Document

Sustainable travel - Policy to ensure that the design and layout of the development and location of the local centre is planned to encourage people to walk, cycle and travel by public transport. Policy also requires a Strategic Transport Assessment and comprehensive travel plan for the site.

BA6_ - Barton AAP - Submission Document

Vehicle access - Policy specifying the type and location of primary and secondary vehicle accesses to the development site.

BA7_ - Barton AAP - Submission Document

Pedestrian and cycle links - Policy specifying the locations of pedestrian and cycle links into/ out of, and within the development site.

BA8_ - Barton AAP - Submission Document

Housing Mix - Policy setting out the preferred mix of housing types for the new development.

BA9_ - Barton AAP - Submission Document

Affordable Housing - Policy setting the required level of affordable housing to be provided as part of the development.

BA10_ - Barton AAP - Submission Document

Local Centre - Policy setting the broad location and maximum level of retail floorspace of the proposed local centre.

BA11_ - Barton AAP - Submission Document

Community hub - Policy detailing the amount of land needed and the broad location within the development site for a new community hub.

BA12_ - Barton AAP - Submission Document

Energy efficiency - Policy setting the energy efficiency requirements and specifications which the development must be built to.

BA13_ - Barton AAP - Submission Document

Design - Policy requiring that a design code must be prepared approved by the local planning authority in advance of any outline planning application. The policy also sets out a list of principles which the design code will reflect.

BA14_ - Barton AAP - Submission Document

Delivery - Policy setting out how the planning contributions (Section 106 and Community Infrastructure Levy) will be should be collected and also that a phasing strategy must be submitted with the planning application.

BA15_ - Barton AAP - Submission Document

Flooding - Policy requiring a flood risk assessment be carried for the site and that any development permitted does not lead to an increase in flood risk elsewhere.

BA16_ - Barton AAP - Submission Document

Surface water drainage - Policy ensuring that Sustainable Drainage Systems are used to reduce overall surface-water runoff volumes leaving the site and to improve water quality.

BA17_ - Barton AAP - Submission Document

Water supply and waste water drainage - Policy requiring a water network supply and drainage strategy be produced ahead of occupation of the development.

BA18_ - Barton AAP - Submission Document

Land remediation - Policy requiring appropriate land remediation works to be carried out (where necessary) prior to commencement of development.

BA19_ - Barton AAP - Submission Document

Sidlings Copse and College Pond SSSI - Policy requiring that a mitigation plan be submitted and agreed prior to the determination of planning consent.

BA20_ - Barton AAP - Submission Document

Linking local people to economic opportunities - Policy setting out how local people and business

should benefit from the proposed development.

APPROVED PLANS

Reference Number	Version	Description
173602/LEG/004	A	Site plans
173602/LEG/003	B	Site plans
1549/GA/08	B	Plans - Proposed
1549/GA/01	B	Plans - Proposed
1549/GA/02	A	Plans - Proposed



MICHAEL CROFTON - BRIGGS

Head of City Development

Please note that this notice does not relieve the applicant from the need to ensure compliance with the appropriate provisions of the Building Act 1984 and the Building Regulations 2000. Any planning application which involves alterations to the kerb and construction of a vehicle crossing in th highway (including the footway and/or verge) will require a separate written application to be made to the Director of City Works, Cowley Marsh Depot, Marsh Road, Cowley, Oxford OX4 2HH.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE

GUIDANCE NOTES FOR APPLICANTS WHERE AN APPLICATION HAS BEEN APPROVED

1. APPLICATIONS FOR PLANNING PERMISSION, APPROVAL OF RESERVED MATTERS, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT.

If you object to the Local Planning Authority's decision to grant permission, approval or consent subject to conditions, you may appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of this notice. With regard to approved applications concerning listed buildings in a conservation area, you may appeal under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Please make your appeal using a form from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) www.planning-inspectorate.gov.uk. The Secretary of State may allow a longer period for you to give notice of appeal, but will normally only do so if there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it appears that the Local Planning Authority could have granted permission for the proposed development only subject to the conditions it imposed, bearing in mind the statutory requirements, the development order, and any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority made its decision on the grounds of a direction that he or she had given.

It may be that planning permission, conservation area consent or listed building consent is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment; but you, as the landowner, claim that the land is no longer fit for reasonably beneficial use in its existing state and you cannot make it fit for such use by carrying out the permitted development. If so, you may serve a purchase notice on Oxford City Council requiring the Council to buy your interest in the land. You can do this under Section 137 of the Town and Country Planning Act 1980 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings and buildings in conservation areas.

You may claim compensation against the Local Planning Authority if the Secretary of State has refused or granted permission subject to conditions, either on appeal or when the application was referred to her or him.

Compensation is payable in the circumstances set out in:

(a) Section 114 and Part II of Schedule 3 of the Town and Country Planning Act 1990; or (b) Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings.

2. ADDITIONAL NOTES ON LISTED BUILDING CONSENT

- 1 If you wish to modify the development referred to in your application or to vary it in any way, you must make another application.
- 2 This notice refers only to the grant of listed building consent and does not entitle you to assume that the City Council has granted its consent for all purposes:
 - (a) If you have applied for planning permission under Section 57(1) of the Town and Country Planning Act 1990, we will send you a separate notice of decision;
 - (b) We will send you a separate notice about plans you have submitted under the Building Regulations 2000;
 - (c) If the development for which listed building consent has been granted includes putting up a building for which you have to submit plans under the Building Regulations 2000, you should not do any work connected with erecting that building until you have satisfied yourself that you have complied with Section 219 of the Highways Act 1980 or that they do not apply to this building.
- 3 Even if you have gained listed building consent, you must comply with any restrictive covenants that affect the land referred to in the application.

3. APPLICATION FOR CONSENT TO DISPLAY ADVERTISEMENTS

If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent, subject to conditions, he or she may appeal to the Secretary of State for the Environment in accordance with Regulation 17 and Part 3 of Schedule 4 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 within eight weeks of the receipt of this notice. (Appeals must be made on a form which obtainable from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) www.planning-inspectorate.gov.uk).

EAST AREA PLANNING COMMITTEE

3rd July 2019

Application number: 18/02401/OUT

Decision due by 2nd November 2018

Extension of time 12th July 2019

Proposal Outline application (seeking the approval of access, landscaping, layout and scale) for the demolition of a bungalow and MOT garage and erection of proposed mixed use development comprising 9 x 2 bed flats, 433 sq. m of B1 office space and associated car parking, cycle parking, bin stores and landscaping.

Site address The Bungalow , Garsington Road, Oxford, OX4 6NQ – see **Appendix 1** for site plan

Ward Blackbird Leys Ward

Case officer Clare Gray

Agent: Miss Annabel Drewett **Applicant:** Wheeler

Reason at Committee The application is for a scheme of units in excess of 5

1. RECOMMENDATION

1.1. The East Area Planning Committee is recommended to:

1.1.1. **Approve the application** subject to their being no further objections being received following consultation, for the reasons given in the report, the submission of an Arboricultural Impact Assessment which satisfactorily demonstrates that the development would not by reason of its siting compromise the cedar tree shown to be retained and subject to the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in this report. The development would also be subject to the required planning conditions set out in section 12 of this report.

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

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

finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report,

including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Acting Head of Planning Services considers reasonably necessary; and

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

2. EXECUTIVE SUMMARY

- 2.1. This report considers a planning proposal relating to an existing but vacant mixed use site alongside the Garsington Road comprising a MOT service centre building and a bungalow. The application seeks outline planning permission, but seeks to determine access, scale, layout and landscaping at this stage, with appearance a reserved matter. The proposal is for the erection of a three storey apartment building to provide 9 x 2 bed flats with a separate B1 office building to provide 257 sqm of office space. To the front of the site is cycle and bin storage. A total of 14 car parking spaces are proposed, 7 of these would be located to the front of the proposed flats and 7 spaces would be located within an undercroft area below the proposed office building.
- 2.2. The report considers the principle of the development taking into account the planning policy framework and emerging policies relating to residential and employment use, affordable housing, the character of the area, the proximity to neighbouring commercial and industrial land uses as well as the Garsington Road in respect of the living environment of these residents, the quality of indoor and outdoor amenity, the highways impact and impact on trees.
- 2.3. It is concluded that the proposal would deliver an efficient use of this previously developed site, which would provide an important contribution towards meeting local housing needs in accordance with Policies CS2 and CS22 of the Core Strategy. Whilst the proposals would result in the loss of a small amount of employment space in the form of Class A1 retail and Class B2 industrial space, Class B1 Office space would be retained on the site and therefore a quantity of employment space would be re-provided within the proposed development.
- 2.4. The comprehensive redevelopment of the site would enhance the visual appearance of the area through the removal of the existing relatively poorly designed buildings and their replacement with buildings of a much higher design standard. The development would make provision for an acceptable quantity of car and cycle parking and would not impact adversely on highway safety and amenity. Further information is required in respect of trees and can be secured as part of the recommendation.
- 2.5. It is considered that the development complies with the relevant provisions of the Oxford Local Plan, Core Strategy, the Sites and Housing Plan, Emerging Oxford Local Plan 2036 and NPPF.

3. LEGAL AGREEMENT

3.1 This application would be required to enter into a legal agreement to secure an off-site financial contribution towards affordable housing in accordance with policy HP4 of the Sites and Housing Plan 2011-2026.

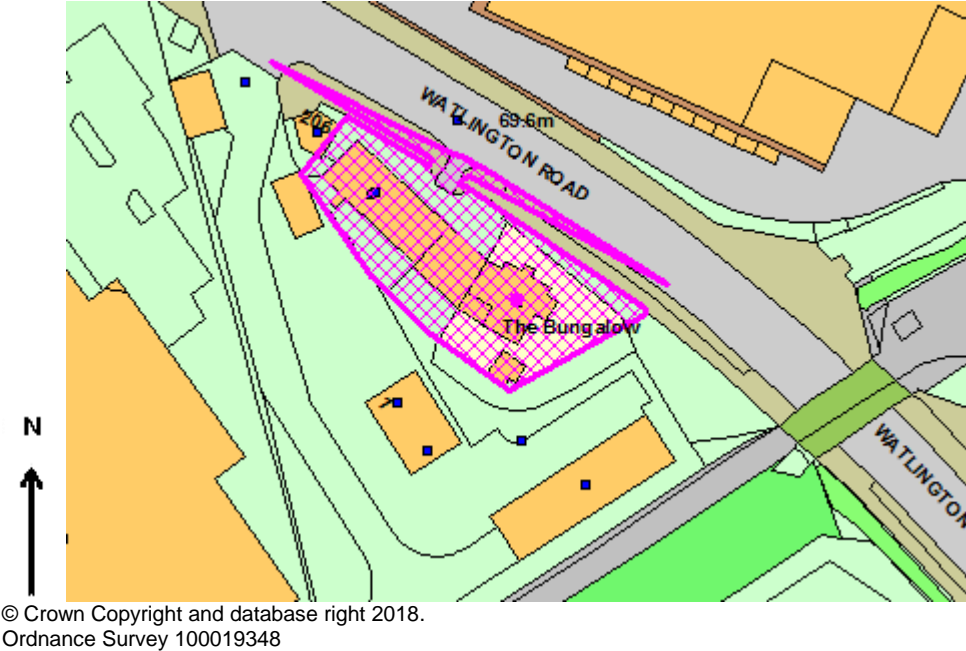
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal would be liable for CIL, but the amount would not be known or collected until reserved matter stage.

5. SITE AND SURROUNDINGS

5.1. The site is a long narrow plot of land which runs parallel to the Garsington Road, opposite the BMW plant and is surrounded by a mix of sui generis employment uses including a plant hire company, a hand car wash, and a Class A5 pizza takeaway. The site is elevated from the road contained by a short perimeter wall and is occupied by a bungalow to the east of the site behind a row of trees, and a vacant MOT service centre to the west of the site. Within the middle of the site is a direct access from Garsington Road. Between the buildings is a hardsurfaced area of parking.

5.2. See block plan below:



6. PROPOSAL

6.1. The application is in outline and seeks permission to demolish the bungalow and MOT service centre and to erect a mixed use development comprising 9 x 2 bed flats, 257sqm of B1 office space and associated car parking, cycle parking, bin stores and landscaping. The access, layout, scale and landscaping are all matters to be considered at this outline stage with appearance reserved.

6.2. The layout of the scheme is designed with the flats located to the south east of the site and the employment office space to the north west separated by the existing access from the Garsington Road. Between these two buildings is an

area of hardstanding which will provide 7 car parking spaces, the other 7 car parking spaces would be located within an undercroft area below the proposed office building. The flats will be within a 3 storey building occupying a footprint of 718.7 square metres and would extend to a height of 8.6 metres to the roof ridge. The office block would be a 3 storey building occupying a footprint of 352 square metres which would extend to a total height of 8.7 metres to the roof ridge line. The application has been amended since it was first submitted which has been principally to increase the amount of car parking provision to be policy compliant.

6.3. Landscaping is proposed along the frontage and to the rear where a residual outdoor grassed area to serve the flats is shown. The majority of the existing trees on the site would be removed with the exception of a cedar tree located close to the front of the site which would be retained.

6.4. External appearance is a reserved matter, but indicative elevations have been submitted detailing the office and flats with a brick and rendered elevation and a recessed upper floor with a flat roof.

6.5. A bin collection point is shown to the front of the site as is a cycle parking store.

7. RELEVANT PLANNING HISTORY

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

58/07146/A_H - Caravan. Refused 30th July 1958.
61/10379/A_H - Two shops and stores. Refused 14th February 1961.
61/10861/A_H - Cycle and scooter store and sale and servicing of cycles and scooters. Refused 13th June 1961.
61/11073/A_H - Erection of building for sale and service of cycles and motor scooters.. Refused 15th August 1961.
64/15516/A_H - Outline application for rebuilding existing shop and erection of new workshop and stocks for mopeds with new show room. Refused 5th December 1964.
77/21008/A_H - Outline application for the erection of showroom and workshop for sale of motor cycles. Refused 9th December 1977.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy	Local Plan	Core Strategy	Sites and Housing Plan	Emerging Local Plan
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	Framework				
Design	12	CP1, CP8, CP9, CP10, CP11	CS18	HP9	DH1
Housing	5, 11		CS2	HP3, HP12, HP13, HP14, HP15, HP16	H1, H2, H14, H15, H16
Commercial	6		CS27, CS28, RC9		E1
Natural environment	14, 15	NE15			RE4, RE6, RE8, RE9, G2
Transport	9			HP15, HP16	M3, M4, M5
Environmental	11, 14	CP10, CP19, CP21	CS10, CS11, CS12		
Miscellaneous	7, 10	CP.13 CP.24 CP.25		MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 18th October 2018. The application has since been subject of re-consultation following the receipt of amended plans and further site notices were displayed on the 6th June. The current consultation period runs until the 27th June, any further consultation responses received following the publishing of this report shall be reported verbally to members at the committee meeting.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. The County Council made the following comments in relation to the original proposals. Comments have not been received following the receipt of amended plans though officers consider that an increase in the number of parking spaces and arrangement of spaces is considered to be an improvement on the originally submitted plans in terms of access, parking provision and manoeuvrability.

9.3. The application form states there are to be 12 car parking bays available, however, the Access Statement then states there will be 11 and then the amended site plan submitted only shows 10 bays. Clarification is needed as to which is correct. The dimensions of the spaces as measured on the proposed Ground Floor Plan also only measure 4.6m x 2.3m. This is well below standard which requires all bays to be 5m x 2.5m if unobstructed or 5m x 2.7m if obstructed on one side, which several spaces are. There is also no indication as

to how the parking bay use is to be enforced. Oxfordshire County Council recommend that signage is put up making users of the office and flats know the allocation of the bays. If this is not done correctly it could lead to informal parking and highway safety concerns. Whilst the number of bays for the flats is in line with adopted standards, the number of spaces for the office use is below standard, however, with the sustainable access to site available, and parking restrictions in the area, this is deemed adequate.

9.4. The applicant proposes the provision of cycle storage for up to 12 bikes for the 9 flats. This is below the adopted standards (Policy HP15) which states for 2 bed dwellings, a minimum of 2 bikes is required. Covered and secure cycle storage should therefore be provided for a minimum of 18 bikes. Whilst the cycle storage provision of the office is in line with adopted standards, due to the under provision of car parking, Oxfordshire County Council recommend further cycle storage is provided.

9.5. Oxfordshire County Council do not object to the application on highway grounds providing conditions are included in any permission which is granted

Thames Water Utilities Limited

9.6. No objections on water and waste water grounds.

Natural England

9.7. No comments

Public representations

9.8. Comments have been received from Councillor Linda Smith who raises concerns that the proposals would represent underdevelopment of the site and a greater density of development should be sought to provide more homes. It is also suggested that one of the parking bays be used for the purposes of a car club.

9.9. A letter was received from Oxford Civic Society who raise objections to the proposal as follows:

Although this promises a sensible use of a piece of unused land, there are several issues which will require attention. There seems to be provision for only 11 (eleven) parking spaces to serve 9 x 2 bed flats and over 400 sq.m of office space. Not only is this number insufficient, but apparently none of the spaces is large enough to accommodate modern cars. There also appears to be no designated provision for bicycles.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Scale, layout and impact on the character of the area
- Affordable Housing

- Indoor and outdoor amenity
- Noise, air quality and impact on occupiers amenity
- Highway matters
- Cycle parking

Principle of development

- 10.2. The National Planning Policy Framework has a presumption in favour of sustainable development, of which there are 3 distinct objectives in achieving sustainable development, with a social, economic and environmental objective.
- 10.3. Paragraph 80 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 10.4. Paragraph 121 of the NPPF states Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework.
- 10.5. The Oxford Core Strategy encourages development proposals to make an efficient use of land in built up areas through Policy CS2. Policy CS28 of the Core Strategy relates to the protection of key employment sites to ensure that there is a retention of adequate employment space across the city.
- 10.6. The site lies adjacent to the Garsington Road and lies opposite the BMW garage to the north and is surrounded by sui generis uses to the south, by way of a plant hire company and a hand car wash company. To the west is a Class A5 takeaway.
- 10.7. Policy CS28 of the Core Strategy states that planning permission will not be granted for development that results in the loss of key protected employment sites. The policy goes onto state that in respect of other employment sites, that planning permission will only be granted for the change of use or loss of other employment sites subject to the following 3 criteria:
- Overriding evidence is produced to show that premises are causing and have consistently caused significant nuisance or environmental problems that could not have been mitigated,
 - No other future occupiers can be found despite substantial evidence to show the premises or site has been marketed both for its present use and for

potential modernisation or regeneration for alternative employment generating uses,

- The loss of jobs would not reduce the diversity and availability of job opportunities and it does not result in the loss of small and start up business premises , unless alternative provision is made in Oxford.

10.8. In the emerging Local Plan which is at consultation stage, this site is identified as a category 3 employment site. In the pretext to policy E1 it states

“Category 3 sites mainly comprise smaller sites and those not performing as well as Category 2 sites, for example because they are not as well located, or because they do not perform such an important economic function, nor are likely to be able to in the future. Should these sites become available for redevelopment, they will be first required to explore the potential for other employment uses, and then subject to criteria to explore alternative uses in order to help deliver the broader aims and strategy of this Local Plan.”

10.9. Policy E1 states in respect of employment sites

“Planning permission will only be granted for the loss of any employment floorspace on Category 3 sites to residential development subject to the following criteria: g) the site or building is no longer suitable for its existing business use owing to its changing operational needs; and h) no other future occupiers can be found through the production of evidence to show the premises or site has been marketed unsuccessfully both for its present use and for potential modernisation or regeneration for alternative employment generating uses, including start-up businesses or local community uses, for a period of at least 6 months (see Appendix 2.3 for details of the marketing evidence expected).”

10.10. The application site is defined as mixed employment and residential. It is not defined as a key protected employment site for the purposes of the Core Strategy. The existing site comprises of a mix of planning uses, including office space, retail and Class B2 use though each of these uses was connected with the former business on the site and the function of the site as an MOT centre. The latter of the two uses i.e. retail and B2 would be lost on the site, however the Class B1 office use would be re-provided with a minor increase of 19 square metres.

10.11. The re-provision of the office space would retain employment use on the site and the quality of the Class B1 provision which would be provided within a modern, purpose built building would be to a much higher standard than is provided within the existing building. The existing building has been vacant for an extended period of time and the quality of the premises are notably not of a high standard.

10.12. In terms of the retail element, this space arguably forms an ancillary function to the former use of the building as an MOT test centre and the building is not located within an area or street front which has any specific protection in terms of the retention of retail premises. The existing mix of uses is wholly specific to the sites former use and it would be unlikely that a future employment based

occupier would require a similar mix of uses on the site. The criteria of Policy RC9 of the Oxford Local Plan which applies to individual retail premises is relevant in relation to these premises. Policy RC9 requires that no other suitable retail occupier can be found following a realistic effort to market the site for a Class A1 (shop) use; substantial evidence of non-viability has been demonstrated; and changes of use to residential use are supported by substantial proof that commercial uses are not viable. The premises have been vacant since 2016. It is understood that marketing of the site for continued commercial use has taken place, though it is understood that no interest was expressed in the use of the premises for commercial purposes and as such other options for the redevelopment of the site has been pursued. In any event the A1 element in this case is very much regarded as an ancillary use and it would be difficult to demonstrate that the loss would be harmful in terms of the policy.

10.13. On balance as the proposals would retain employment use on the site to an enhanced standard whilst also providing residential accommodation to meet an identified housing need (which is explored in more detail below), officers consider that this adequately justifies the relatively low amount of employment and retail space which would be lost on this site, in accordance with policy CS28 of the Core Strategy and RC9 of the Oxford Local Plan.

10.14. In respect of housing use on this site, the development of a previously developed site for housing within a sustainable location is considered an objective that accords with established planning principles, and intensification of dwellings on any appropriate site will contribute to boosting the supply of homes as required by the NPPF, but will assist in making the most efficient use of land. The NPPF also recognises that small and medium sites make an important contribution to housing supply, Policy CS22 of the Core Strategy recognises the important contribution of windfall sites such as the application site in meeting local housing need, with a specific preference to this delivery of additional units being provided on brownfield sites. The proposal is therefore considered to accord with Policy CS2 and CS22 of the Oxford Core Strategy.

Balance of Dwellings

10.15. The proposed development would comprise solely of 2 bedroom flats. Policy CS23 of the Core Strategy states that development should comply with the Balance of Dwellings Supplementary Planning Document (SPD). This document highlights that across Oxford, new development should include a certain percentage of family dwellings typically comprising of 3 bedroom units. The site is within the Blackbird Leys neighbourhood area which is identified as a 'green' area with less pressure in terms of the loss of, or undersupply of family dwellings. Notwithstanding this the BOD's SPD requires that 25% of the units should be 3 bed units.

10.16. It is accepted that the mix proposed within the development would not strictly accord with the preferred mix set out within the SPD. The Councils Emerging Local Plan was submitted for examination in March 2019. Whilst the weight attributed to the policy provisions of the Emerging Plan framework are afforded limited weight at this stage as the plan has yet to undergo examination, this remains a material planning consideration and provides an intention as to the

direction of travel for policy in respect of the housing mix in new developments. Policy H4 of the Emerging Local Plan outlines a housing mix, which applies only to the affordable element of the housing on developments of 25+ units. As the proposed development would comprise 9 units, it would clearly be below this threshold.

10.17. NPPF Paragraph 11 states that in applying a presumption in favour of sustainable development Local Authorities should be approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or 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.

10.18. The Councils Core Strategy and Balance of Dwellings SPD predate the NPPF and as such the policy provisions of the existing framework must be read in conjunction with the NPPF in terms of their compatibility. Policy H4 of the Emerging Local Plan, unlike the Balance of Dwellings SPD does not predate the NPPF and as such takes into account all other material planning considerations outlined within the framework. In officers view there a clear requirement to balance the provision of a mix of housing in order to achieve balanced communities with other fundamental material planning considerations, including the need to make effective use of land which forms a fundamental element of the NPPF (Chapter 11).

10.19. Chapter 11 of the NPPF makes clear that development should make effective use of land. NPPF Paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimum use of the potential of each site. The site is a small and compact brownfield site and it would be reasonable to consider that a development which provides larger three bedroom properties would likely result in the delivery of less units on the site substantially reducing the capacity of the site to deliver its optimum density and number of units, which would fundamentally be at odds with the requirements of Paragraph 123 of the NPPF. Also given its location in amongst commercial units., it would not be necessary to insist on a particular mix in terms of the grain, form and character of the area which will be explored in more detail. Therefore it is appropriate in this case to maximise the density as this can clearly be accommodated on this site and within this area.

10.20. Giving weight to the provisions of the NPPF and provisions of Policy H4 of the Emerging Local Plan, officers consider that deviation from the Councils BOD's mix is justified.

Scale, layout and impact on the character of the area

- 10.21. The surrounding area is characterised by a mix of employment uses comprising of principally utilitarian buildings of varying size, ranging from the large scale factory buildings to the north of the BMW site and smaller commercial and industrial buildings to the south. Typically surrounding buildings are two storeys in scale.
- 10.22. Within the prevailing context of industrial and employment based buildings, the existing buildings on the site do not fundamentally appear out of place, however equally the existing buildings are not of significant quality and do not actively contribute to the visual appearance of the area, the site is also currently vacant and has become neglected. Redevelopment of the site is considered to provide an opportunity to generally enhance the appearance of the area.
- 10.23. The application proposes the erection of two new buildings, the scale of which would not appear out of place within the context of the surrounding built form. Officers consider that both buildings would be appropriately designed and would be an enhancement on the existing relatively low quality buildings on the site at present. Furthermore a landscaping scheme is proposed, which would include the provision of planting and soft landscaping which would enhance the visual appearance of the street scene along Garsington Road.
- 10.24. In summary it is considered that the development is of an appropriate design standard and meets the requirements of Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy; Policy HP9 of the Sites and Housing Plan and Policy DH1 of the Emerging Local Plan.

Landscaping and Impact of Existing Trees

- 10.25. Policy NE15 of the Oxford Local Plan states that 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 a development site, where this would have a significant adverse impact upon public amenity or ecological interest. Planning permission will be granted subject to soft landscaping, including tree planting, being undertaken whenever appropriate.
- 10.26. The application is accompanied by a Predevelopment Tree Survey, which provides an assessment as to the impact of the development on the existing trees on the site. The tree survey provides an assessment of the quality of the trees on the site alongside recommendations for development; however the survey does not address the impact of the proposed development on the existing trees.
- 10.27. There are a number of existing trees on the site, though the majority of these are of a relatively low quality (Category C). There is a cedar tree which is identified as being of a higher standard (Category B) which is indicated to be retained. The proposals would also include the provision of additional planting and soft landscaping.
- 10.28. In the absence of an Arboricultural Impact Assessment (AIA) which assesses the impact of the proposed development on the cedar tree, which is indicated as

being of a good standard and contributes positively to the character of area, Officers cannot be satisfied that the development would unduly compromise this tree. For this reason officers would propose a recommendation that permission be granted subject to the submission of an Arboricultural Impact Assessment which satisfactorily demonstrates that the development would not by reason of its siting compromise the cedar tree shown to be retained.

Sustainability

10.29. Policy HP11 of the Sites and Housing Plan requires that developments of 10 or more dwellings are accompanied by an Energy Statement in order to demonstrate that 20% of all energy needs are obtained from renewable or low carbon resources. The proposed development of 9 dwellings is below this threshold; however Policy CS9 of the Core Strategy requires the incorporation of sustainable design in all developments.

10.30. Proposals for development are expected to demonstrate how sustainable design and construction methods will be incorporated. All development must optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials, and by utilising technologies that help achieve Zero Carbon Developments.

10.31. The applicants indicate that the fabric specification across both buildings will be improved above and beyond the Part L Building Regulation base line reducing CO₂ emissions and energy demand by improving the thermal performance of the building. This development will achieve compliance with Approved Document L1A of the Building Regulations (2013) without relying upon the contribution of renewable energy. Officers consider that the incorporation of these measures would ensure compliance with Policy CS9 of the Core Strategy.

Affordable Housing

10.32. Policy HP4 states planning permission will only be granted for residential development on sites with capacity for 4-9 dwellings, if a financial contribution is secured towards delivering affordable housing elsewhere in Oxford. The contribution will be 15% of the total sale value of the development. The provision of affordable housing would be secured by way of a Section 106 legal agreement. The applicants have confirmed their agreement to provide an off-site financial contribution towards affordable housing which would be secured through a Section 106 Legal Agreement.

Indoor and Outdoor Amenity

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

10.34. Whilst this is an outline application, the layout and scale is sought to be addressed through this application. The building as shown indicates a 3 storey dwelling with 9 x 2 bed dwellings with occupancy of 4 persons per flat. The National Minimum Space Standards requires 70 sqm per flat and all but one flat

complies with this standard, which is 69.5 sqm, which whilst contrary to the requirements of policy HP12 is a very minor deviation from the Governments Technical Housing Standards and would not be considered harmful to the amenity standards of future occupiers.

10.35. Policy HP13 of the Sites and Housing Plan states that planning permission will only be granted for new dwellings that have direct and convenient access to an area of private open space. Private outdoor areas should allow space for a table and chairs, and/or clothes drying space, plus reasonable circulation. For flats there should be balconies providing 1.5m x 3m of outdoor space.

10.36. The proposed plans previously indicated that not all of the units would have access to external amenity space in the form of balconies. The plans have been amended to address this and each of the proposed flats would now have access to external balcony space, which would be sited so far as practically possible away from Garsington Road and the BMW works opposite so as to minimise noise disruption and exposure to pollution. The proposed flats would also be served by an area of communal amenity space sited to the south and east of the residential building. Taking these factors into account officers consider that the development would comply with the provisions of Policy HP13 of the Sites and Housing Plan.

10.37. In summary it is considered that the development would provide appropriate standards of amenity for future occupiers and there would consequently be no conflict with the requirements of Policies HP12 and HP13 of the Sites and Housing Plan. Owing to the location of the development there would be no impact on any residential properties.

Noise, air quality and impact on occupiers amenity

10.38. In respect of air quality and noise impacts Policy CP19 states that:

“Planning permission will not be granted for residential development where the future occupiers would be likely to suffer from substantial nuisance from noise, dust, fumes, vibration, light or proximity to hazardous materials, unless adequate protective measures can be implemented before the development is occupied.”

10.39. In respect of noise Policy CP21 of the Existing Local Plan states

“Planning permission will be refused for developments which will cause unacceptable noise. Particular attention will be given to noise levels: a. close to noise-sensitive developments; and b. in public and private amenity space, both indoor and outdoor. The City Council will impose easily enforceable conditions to control the location, design, layout and operation of development proposals to minimise any adverse impact as a result of noise and its transmission. Proposals for noise sensitive developments should have regard to: c. the existing sources of noise, e.g. from roads, railways and other forms of transport; industrial and commercial developments; sporting, recreation and leisure facilities; d. internally generated noise or associated externally generated noise; and e. the need for appropriate sound insulation measures.”

- 10.40. The site is surrounded by B2 uses, comprising the BMW garage across the Garsington Road, and is bound by the Garsington Road itself which is a key route into the city from east Oxford. Furthermore the site is surrounded by sui generis uses to the west and south west, comprising a plant hire company and a hand car wash. As these are potentially noisy and disruptive uses, officers would require that the applicants can demonstrate that measures can be applied to protect future occupiers from noise and disruption.
- 10.41. Environmental Health officers raised concerns at the time of the initial consultation in respect of the developments proximity to sources of adverse or significant adverse noise and air pollution which could reasonably impact on prospective residential and office uses. Initially no assessment had been made of noise and pollution levels on the site.
- 10.42. Following a request for further information, the applicants have provided a noise impact assessment (NIA) which identifies existing sources of noise in the vicinity of the site and the potential impact on the proposed residential and office development. The NIA has been assessed by the Councils Environmental Health Officer who has indicated that the recommended mitigation measures will ensure that future occupier's amenity is not unacceptably compromised by noise disturbance subject to the installation of appropriate insulation which would be required by planning condition. The Councils Air Quality Officer has advised that there would be no significant concerns in respect of air quality.
- 10.43. Taking the above factors into consideration it is considered that the amenity of future occupiers would not be unacceptably compromised by reason of noise, pollution, disturbance or disruption arising from the developments proximity to existing land uses and there is considered to be no conflict with Policies CP19 or CP21 of the Oxford Local Plan.

Highway Matters

- 10.44. The site is within a sustainable location being within the confines of the city; however, there is no Controlled Parking Zone (CPZ) in place in the area.
- 10.45. Whilst there is an intensification of use on site, County Highways have indicated that the additional traffic generation can be accommodated within the site. County Highways have also indicated that visibility is good in both directions from the site access. Officers are therefore satisfied that adequate access can be provided to the site.
- 10.46. The originally submitted plans indicated the provision of a total of 10 parking spaces, which would be unallocated and shared between the office and residential uses. The site is located beyond the ring road on the Garsington Road. Access to this site via public transport is gained via either the T1 bus service to Garsington or number 12 to Greater Leys, which is located to the south east 644m (0.4miles). Whilst the T1 bus service which serves the Garsington Road is only 100m walk from the site to the bus stop, this service is only hourly until 8pm. The number 12 service to Greater Leys is not in the

vicinity of the site, being on Sandy Lane 644m away, which is not considered to be directly convenient although this service runs later until 1220am, at 2 buses an hour until 8pm, then one bus an hour until 1220am. In terms of local services, there is a Lidl off the Garsington Road and a Tesco Superstore at Oxford Retail Park. Whilst the site is in close proximity to two supermarkets, the site is in a peripheral location in relation to district centres in the city and is not regularly served by public transport. Whilst there are restrictive parking controls in the area in the form of double yellow lines, the site does not fall within a CPZ. Officers consider that a car free or low car development would not be appropriate within this particular peripheral location.

10.47. Policy HP16 of the Sites and Housing Plan outlines maximum parking standards relating to residential developments, in accordance with appendix 8 of the Sites and Housing Plan, whilst Policy TR3 of the Oxford Local Plan outlines parking standards relating to Class B1 Office development. The maximum parking standards for the commercial floor space would be 1 space per 35 m² or 1 space per 2 staff. In terms of the proposed development (257sqm) this would be 7.34 spaces, though the applicant has indicated that the building would be used by 8 staff members, therefore the maximum standards in accordance with Policy TR3 would be 4 spaces.

10.48. The applicants have amended the proposed plans to provide an additional 4 parking spaces, in total 14 parking spaces would be provided. The proposed parking provision would allow for 1 space per two bedroom flat with an additional 5 spaces provided for the office building. Officers consider that the overall level of parking provision would be adequate and would comply with the requirements of Policies TR3 of the Oxford Local Plan and Policy HP16 of the Sites and Housing Plan.

Cycle parking and bin storage:

10.49. Cycle parking is shown to the front of the site parallel to the Garsington Road and scope is made for 12 spaces for the flats and 5 cycle spaces for the offices

10.50. The Sites and Housing Plan makes clear in policy HP15 that a minimum of 2 spaces per dwelling is required and therefore a provision of 12 is below that standard of a minimum of 18. There is scope for this to be increased as there would be sufficient space within the site to provide additional secure cycle parking, this would be sought by way of planning condition. Overall it is considered that the development would comply with the requirements of Policy TR4 of the Oxford Local Plan and Policy HP15 of the Sites and Housing Plan.

10.51. Bin storage is proposed to the front of the site, which is considered to be adequate and suitably located. It is considered that this would comply with the requirements of Policy HP13 of the Sites and Housing Plan.

11. CONCLUSION

11.1. On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory

Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

- 11.2. In the context of all proposals Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 11.3. The proposals would bring about the redevelopment of a previously developed site for the purpose of providing 9 new dwellings to meet local housing need in line with Policies CS22 and CS2 of the Core Strategy, whilst also providing a financial contribution towards the off-site provision of affordable housing in accordance with Policy HP4 of the Sites and Housing Plan. The proposals would re-provide employment space on site within higher quality purpose built office accommodation, which is considered to be an enhancement on the existing Class B1 space on site. It is considered that the joint benefits of the delivery of 9 dwellings and enhanced Class B1 provision would outweigh the loss of the existing relatively low quality Class B2 space and Class A1 retail space on site.
- 11.4. The redevelopment of the site is considered to be a significant visual enhancement and would contribute positively to the appearance of the immediate vicinity. It is considered the proposals make appropriate amenity provision for future occupiers and there would be no adverse impacts in respect of highway safety or amenity.
- 11.5. For the reasons expressed in this report it is recommended that the Committee resolve to grant planning permission for the development subject to their being no further objections being received following consultation and subject to the submission of an Arboricultural Impact Assessment which satisfactorily demonstrates that the development would not by reason of its siting compromise the cedar tree shown to be retained and subject to the completion of a legal agreement to secure a contribution towards off site affordable housing provision.

12. CONDITIONS

1. The development permitted shall be begun either before the expiration of five years from the date of this outline permission or from the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later.

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

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

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

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

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

4. Prior to commencement of above ground works, a plan detailing the layout of the car parking area shall be submitted to, and approved by, the Local Planning Authority. The Car Park Layout Plan must set out that all car parking spaces meet the minimum dimensions required and can be safely and easily accessed. The plan should also set out how the allocation of parking bays is to be managed on site. The agreed details shall be implemented prior to first occupation/use of the development and retained as such thereafter.

Reason: In the interest of highway safety and to comply with policy HP16 of the Sites and Housing Plan.

5. Before the commencement of above ground works details of the cycle parking areas for 18 cycles including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

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

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

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

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

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

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

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

8. No occupation shall take place until the living space has been insulated against external noise sources in accordance with a scheme that has been submitted to, and approved in writing by, the Local Planning Authority. To gain approval a scheme must demonstrate that it meets the requirements set out in the Noise Impact Assessment prepared by REC dated 19th March 2019 . Once approved there shall be no variation to the approved scheme unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

9. Prior to the commencement of above ground works, details of ecological enhancements shall be submitted to and approved by the Local Planning Authority. The scheme will include details of new native landscape planting and provision of artificial roost features, including bat and bird nest boxes and a minimum of two swift nest boxes. The development shall only be carried out in accordance with the approved details.

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

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

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

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with a 40% allowance for climate change.
- II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event
- III. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.

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

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

Reason: In the interests of ensuring the adequate drainage of surface water to ensure compliance with Oxford Core Strategy Policy CS11

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

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

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

Provision of electric charging points for each residential unit with an allocated parking space. The amount of electric car charging points to be installed should cover at least 25% of the amount of permitted non allocated parking of the development; Appropriate cable provision should also be installed to ensure that remaining parking is prepared for increased EV demand in future years.

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

Reason: To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority. The recommended provision rate is 1 charging point per unit (house with dedicated parking) or 1 charging point per 10 spaces (unallocated parking, i.e. flat development). Provision is required in accordance with Policy HP16 of the Sites and Housing Plan.

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

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

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

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

15. A Construction Traffic Management Plan shall be submitted to the Local Planning Authority and agreed prior to commencement of works and shall be approved in writing. This should identify;

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,

- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network), -Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,

- Contact details for the Site Supervisor responsible for on-site works,

- Travel initiatives for site related worker vehicles,

- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,

- Engagement with local residents and neighbours.

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

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 their property in this way is in accordance with the general interest.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Appendix 1 – Site Plan



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EAST AREA PLANNING COMMITTEE

Application number:	19/00933/CT3		
Decision due by	6th June 2019		
Extension of time	12 th July 2019		
Proposal	Formation of 10no. parking spaces.		
Site address	Land At The Junction Of Blackbird Leys Road And, Balfour Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Blackbird Leys Ward		
Case officer	Michael Kemp		
Agent:	N/A	Applicant:	Mr James Axford
Reason at Committee	The application is submitted 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 proposed formation of 10 off-street parking spaces on a small landscaped area of open space located to the north of Blackbird Leys Road in Blackbird Leys. The proposed parking would be accessed via a new means of access from Blackbird Leys Road. The application is submitted with the intention of providing off-street parking for existing properties in Blackbird Leys Road and Balfour Road, which do not currently benefit from off-street parking. It is intended that the provision of parking would alleviate issues arising from unauthorised parking on the existing landscaped space to the north of Blackbird Leys Road.

2.2. The proposals are considered to be beneficial in highway safety and amenity terms and would provide a dedicated area of off-street parking and an improved means of access onto Blackbird Leys Road. The proposals are considered to strike an acceptable balance between providing additional off-street parking spaces and ensuring that an acceptable degree of landscaping is retained, whilst also ensuring that existing mature trees on the site are retained. The proposals retain adequate separation between the parking bays and the adjacent properties and are considered to preserve the residential amenity of existing occupiers.

2.3. Overall the proposals are considered to be acceptable and compliant with the provisions of the Oxford Local Plan; Core Strategy and the Emerging Local Plan.

3. LEGAL AGREEMENT

3.1. This application would not be subject of a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal would not be liable for a CIL contribution.

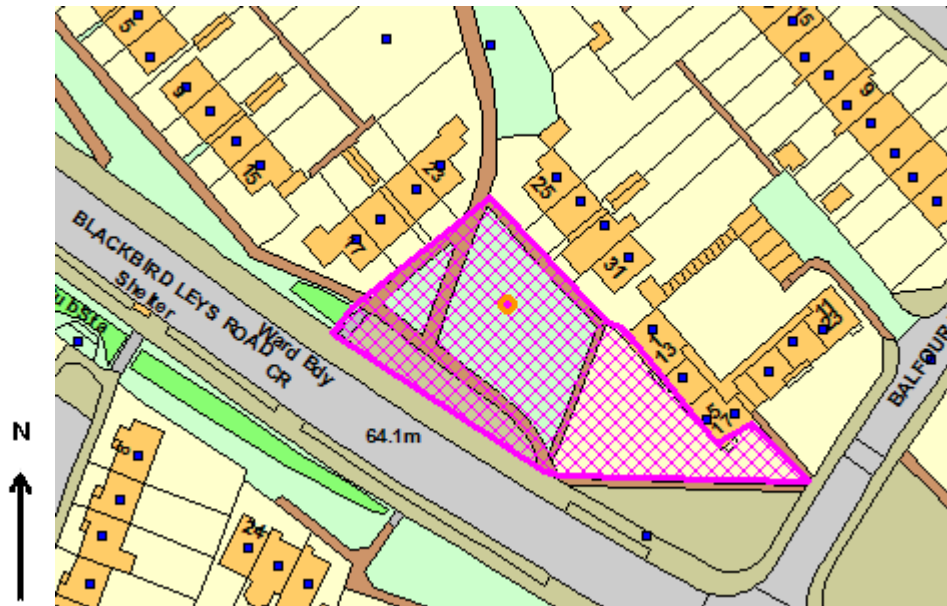
5. SITE AND SURROUNDINGS

5.1. The site is located within Blackbird Leys and forms part of a landscaped area of open amenity space between Blackbird Leys Road and the frontage of two rows of terraced two storey dwellings these being No.17 to No.31 Blackbird Leys Road and a two storey block of flats Nos.13 to 17 Balfour Road. Blackbird Leys Road which lies to the south is elevated slightly in relation to the site, there is a stepped access to the site down the existing embankment leading from an adjacent pedestrian crossing at Blackbird Leys Road.

5.2. There is level pedestrian access to the site at a point to the south east where the existing footpath and cycle path leading from Belfour Way meets the footpath and cycle access along Blackbird Leys Road. There are existing pedestrian accesses through the site from this point. There is a dropped kerb access from Blackbird Leys Road at this point and there is a space which is sufficiently wide for vehicles to access the site, however it was not intended that this would form a general access for public use and the main purpose of this access would be for maintenance and management of the landscaped spaces for example grass cutting.

5.3. The site was intended as a landscaped space; however the space has become extensively used as an unauthorised informal area of car parking as the surrounding properties do not currently benefit from off-street parking. The site comprises of grass, though the surface has become extensively damaged as a result of the informal use of the site for parking. The site contains a number of mature trees which are very visible in public views from Blackbird Leys Road.

5.4. See site location plan below:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes the formation of 10 parking spaces alongside the provision of landscaping. It is proposed that the parking spaces would be accessed via a new vehicular means of access from Blackbird Leys Road. The proposed parking would be located to the front of Nos. 25 to 31 Blackbird Leys Road; the existing footpath to the front of the properties would be retained. The proposed parking bays would have a grass grid surface. The proposals include the addition of EV ducting to enable the spaces to be ready to for adaptation to charge electric vehicles if required in the future. The proposals include the retention of all existing mature trees on the site with additional planting.

6.2. The formation of the parking would necessitate the redirection of two of the existing footpaths through the site with new footpaths formed to maintain ease of pedestrian access through the site. A new tarmacked access is proposed from Blackbird Leys Road, this would cross over the existing pedestrian and cycle path, and this would be addressed within the proposed development, with the cycle and pedestrian route repainted and marked.

7. RELEVANT PLANNING HISTORY

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

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		CP1 CP8 CP9 CP10	CS18		H14, DH1
Natural environment	14, 15	NE15	CS11		RE6, RE8, G7
Transport	9, 12	CP1	CS13	HP16_	M1, M3, M4
Miscellaneous		CP.13 CP.24 CP.25			

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 10th May 2019 and an advertisement was published in The Oxford Times newspaper on 25th April 2019.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. The applicant wishes to create 10no. vehicle parking spaces on an area of land at the corner of Blackbird Leys Road and Balfour Road, on which informal parking already occurs.

The site is in an area with low levels of allocated parking and a high demand for on-street parking as a result. The applicant demonstrates suitable visibility splays for vehicles exiting the parking facility. The dimensions of each proposed parking space comply with guidelines in the parking standards for new residential developments. It is noted that the applicant intends to construct the parking facility using SUDs methods.

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

Public representations

9.3. Public comments were received from three owners/occupiers of properties in Blackbird Leys Road; these being Nos. 27, 29 and 31 each of the comments were in overall support of the application.

9.4. The following additional points were raised in relation to the proposals:

- Request that signage be put up advising that parking is for residents only.
- Would be preferable if more spaces could be provided.
- Spaces should be concrete rather than grass grid.

9.5 To respond to these comments, it would be a decision for the Council as applicant to decide how to allocate the spaces and there would be no

requirement under the planning process for this to occur so a requirement or condition in relation to residents only signage would not be reasonable or necessary in Officer's opinion. The number of spaces needs to be carefully considered and balanced with the amenity value of this green space. The proposals have been designed to retain the existing trees on site and as much greenery as possible whilst providing parking to help alleviate the existing car parking problems in the area and informal parking on site. As Blackbird Leys Road is a main thoroughfare, the existing greenery contributes to the visual amenity and it is important to retain this balance so in this case it is considered that more spaces could not be accommodated without causing undue harm visually or loss of trees. The use of grass grid compared to other materials is addressed in the report below.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development and Highways Considerations
- Design, landscaping and trees
- Neighbouring amenity
- Sustainability

a. Principle of development and Highways/Access Considerations

10.2. The proposals are submitted with the aim of rationalising parking provision and providing additional parking spaces within an area that currently experiences issues with a proliferation of on-street parking. The majority of properties within the immediate area and the estate as a whole do not benefit from provision of off-street parking which has resulted in residents parking on landscaped areas and verges and the accumulation of vehicles causing an obstruction of the highway. In order to address these issues a number of similar developments have been carried out in the area to provide areas of dedicated off-street parking in the form of parking bays. A recent example includes a development which was approved recently at Samphire Road (18/02977/CT3) to provide 36 spaces similarly in landscaped amenity spaces adjacent to the highway. A further planning application (19/00366/CT3) relating to the provision of 25 parking spaces at Furlong Close in close proximity to the site was recently approved in June 2019.

10.3. The majority of properties in Blackbird Leys were developed without parking spaces at a time when car ownership was significantly lower. A large number of residents now own cars and as the vast majority of properties in the area do not benefit from off-street parking within the curtilage area of the dwellings; this has led to an accumulation of on street parking. There are 16 houses in Blackbird Leys Road which do not benefit from off-street parking provision as well as an existing block of flats on the corner of Balfour Road (Nos. 1 to 23). Existing on street parking capacity in the area is limited, nearby Furlong Close has a narrow carriageway and accumulation of on street parking presents an obstruction which

is detrimental to highway safety and amenity and as a result the City Council were granted planning approval for the creation of 25 off street parking spaces at Furlong Close recently.

- 10.4. Approval was granted for the provision of 18 off street parking spaces in 2013 (13/02285/CT3) in the form of a landscaped parking court on land to the east of Balfour Road, these spaces are extensively used. Blackbird Leys Road is a heavily used through route and on street parking is undesirable and restricted in places owing to double yellow lines and a section of an existing cycle lane. Balfour Road is largely unrestricted in terms of parking controls, however this is a heavily used route and forms a part of the main bus route through Blackbird Leys. There is a row of 5 garages to the rear of Nos. 1 to 23 Balfour Road providing some limited off street provision.
- 10.5. The roads to the south of the site including Mallard Close and Kestrel Crescent as well as Blackbird Leys Road are subject of parking controls; however this is only limited to 8am to 1pm on Sundays and during events at the Kassam Stadium. Whilst the County Council have long term proposals to introduce a Controlled Parking Zone in Blackbird Leys, this is listed as Priority 4 (low) in terms of timescale and no dates have been put forward for either consultation or implementation. In the absence of parking controls in the area, it is considered that the provision of off-street parking represents the best solution at the present time to control on-street parking.
- 10.6. The provision of 10 dedicated off street parking spaces would be beneficial in going some way to alleviating the issues associated with on street parking and would be beneficial to highway safety and amenity as this will help to keep the carriageway clear of vehicles. With no parking controls in place in the area at present it is considered appropriate that further provision is made for off street parking. The proposals would rationalise parking on the site through the provision of marked bays making for a more efficient use of the site for the purposes of providing parking.
- 10.7. The proposals would include the addition of a means of access onto Blackbird Leys Road. The Highways authority have confirmed that they are satisfied that the addition of this new means of access would not impact adversely on highway safety or amenity. The proposals are considered to be an improvement on the existing situation where vehicles using the site for unauthorised parking are accessing the existing landscaped space across the existing footpath and cycle path from an unmarked access where pedestrians and road users would not expect vehicles to be entering and exiting Blackbird Leys Road. A new pedestrian and cycle crossing would be created across the proposed access road, thus formalising the arrangement properly and making it clear for all road users with their respective designated areas.
- 10.8. In summary it is considered that the proposed development would be beneficial to highway safety and amenity and consequently the development is considered to comply with the Policy CP1 of the Oxford Local Plan.

b. Design, Landscaping and Trees

- 10.9. The site at present functions as a landscaped area of general amenity space which provides an open and green aspect in views from Blackbird Leys Road. There are a number of mature trees on the site which provide an important contribution to the character of the area. The proposals would not include the removal of any of the existing mature trees, which is welcomed. Furthermore it is indicated that the siting of the development should not compromise any of the existing trees. The proposals would also include the provision of additional tree planting to the south west and south east of the proposed parking bays which would be beneficial in screening views of the proposed parking bays from Blackbird Leys Road.
- 10.10. The proposals would result in the loss of part of an existing open area of grass though this is comparatively small and has been blighted to a large degree by unauthorised parking which has caused significant damage to the grass. Unaffected areas would also remain. Furthermore the proposals are to install grass grid parking, the impact of which would be softer in visual terms than hardstanding such as block paving or tarmac. The addition of a grass grid system would also be beneficial in terms of drainage, particularly given that the development would be located in an area of potential surface water flooding. While tarmac is frequently used for the creation of car parking spaces for durability, the use of a grass grid system is considered appropriate in this case given the prominence of the site on a main thoroughfare. It strikes a balance between formalising the existing informal parking which is causing damage, alleviating car parking issues on street and retaining the landscaped nature of the site.
- 10.11. Overall officers consider that the development would not have an adverse visual impact on the character of the area and consider that the proposals strike an acceptable balance between the need to provide additional parking spaces and the need to preserve an appropriate standard of visual amenity within the area. The proposals are therefore considered to comply with Policies CP1, CP6, CP 8, CP9, and CP10 of the Oxford Local Plan and Policy CS18 of the Core Strategy.

c. Impact on neighbouring amenity

- 10.12. The proposed parking spaces would be located to the front of two rows of residential properties, these being Nos.17 to 23 and Nos.25 to 31 Blackbird Leys Road. The aforementioned properties are set back from the proposed parking behind a pedestrian footpath and private front gardens.
- 10.13. In respect of Nos. 25 to 31 there would be a separation distance of 6 metres between the end of the proposed parking bays and the front of the properties, with the exception of No.29 which has a small front extension, there would be 4 metres separation between the parking bays and this property. In respect of Nos.17 to 23 there would be an even greater distance ranging between 8 metres in respect of No.23 and 14 metres in respect of No.19.
- 10.14. Overall officers consider that the proposed separation distance between the proposed parking bays and the front elevation of the adjacent properties would ensure that the residential amenity of these properties would not be unduly

compromised by reason of noise disruption or disturbance as a result of the overall proximity of the parking bays in relation to the habitable spaces in the adjacent properties.

10.15. Officers are satisfied that the proposals preserve an appropriate standard of amenity for occupiers of neighbouring properties and accord with Policies CP1 and CP10 of the Oxford Local Plan.

d. Sustainability

10.16. The proposals would provide infrastructure to enable the future delivery of electric charging points. Officers recommend attaching a condition to secure this provision of ducting to allow for future installation of Electronic Vehicle charging infrastructure, in order to make resident parking places EV ready for future demand. The addition of ducting to enable the future installation of EV charging points would contribute towards reducing the impact of development on air quality and promoting sustainable means of transport in accordance with the requirements of Policy CP23 of the Oxford Local Plan.

e. Drainage

10.17. The application site lies within Flood Zone 1, land which would typically be considered to be a low risk of flooding; however the Councils Flood Mitigation Officer has advised that the development would be located in an area of potential surface water flooding. Therefore, any impermeable area should be drained via a SuDS system, the applicants have proposed that this will consist of a heavy-duty cellular porous paving system which will preserve the ability for rainwater to seep back into the existing subsoil layers and maintain the existing drainage paths. In terms of the surfacing materials, the use of a grass grid system as opposed to an impermeable means of surfacing such as tarmac is considered beneficial in achieving effective drainage of the site. A relevant SuDS condition should be attached to ensure the effective drainage of surface water to prevent surface water flooding. Overall it is considered that the proposed development would comply with the requirements of Policy CS11 of the Core Strategy.

11. CONCLUSION

11.1. The proposals would deliver a total of 10 off street parking spaces, providing a rationalised parking arrangement on a space which is extensively used as an area of unauthorised parking for properties which do not benefit presently from off street parking. The proposals include a new means of access onto Blackbird Leys Road which is considered acceptable in highway safety terms, particularly in comparison to the existing situation where vehicles are accessing the site across the pedestrian and cycle path via a poorly visible and marked access point.

11.2. The proposals would retain important landscaping features, namely the prominent mature trees located on the site and the proposed surfacing would comprise of softer, low key permeable grasscrete. It is considered therefore that the proposals achieve an appropriate balance between providing the required

parking and retaining appropriate standards of visual amenity on this main thoroughfare and prominent site.

11.3. The proposals afford a sufficient degree of separation distance between the proposed parking bays and the front elevation of the existing properties in Blackbird Leys Road and Balfour Road to ensure that the amenity of existing occupiers would not be compromised by reason of the siting of the proposed bays.

11.4. Taking the above factors into account it is considered that the proposed development would comply with the relevant provisions of the Oxford Local Plan; Core Strategy and Emerging Local Plan (while acknowledging that only limited weight can be given to the latter).

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

12. CONDITIONS

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

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

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

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

3. Prior to the first use of the spaces provision of ducting to allow for future installation of Electronic Vehicle charging infrastructure, shall be formed, and laid out in accordance with the approved details and shall remain in place thereafter.

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

4. The development shall be carried out in strict accordance with the tree protection measures contained within the planning application details shown on drawing number Arbtech TPP 01 (Feb2019) unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To protect retained trees during construction in accordance with policies CP1, CP11 NE15 and NE16 of the Oxford Local Plan 2001-2016 and CS12 of the Oxford Core Strategy 2011-2026.

5. The landscaping proposals as approved by the Local Planning Authority in

details shown on drawing number OXF-OCC-BBL-00-AR-DR-00006 (Rev P01) shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Oxford Local Plan 2001-2016 and CS12 of the Oxford Core Strategy 2011-2026.

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

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

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

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

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

Reason: In the interests of ensuring the adequate drainage of surface water to ensure compliance with Oxford Core Strategy Policy CS11

13. APPENDICES

- **Appendix 1 – Block Plan**

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Appendix 1

19/00933/CT3- Land At the Junction of Blackbird Leys Road And Balfour Road

Proposed Parking Plan



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EAST AREA PLANNING COMMITTEE

Application number:	19/01057/CT3		
Decision due by	18 th June 2019		
Extension of time	12 th July 2019		
Proposal	Erection of two storey side extension.		
Site address	2 Devereux Place, Oxford, Oxfordshire, OX4 4RP – see Appendix 1 for site plan		
Ward	Rose Hill And Iffley Ward		
Case officer	Sarah Chesshyre		
Agent:	Mr Christopher Leach	Applicant:	Mr Gary Long
Reason at Committee	The application is made by the 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 erection of a two storey side extension to the side of the existing dwelling.

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

- Design
- Residential amenity
- Trees

2.3. The development is considered acceptable in design terms and will not detract from the character and appearance of the existing dwelling or area in general.

The proposal would not have a detrimental impact on the neighbouring properties or adversely affect trees that make a significant contribution to the public amenity of the area. The proposal is considered to comply with CP1, CP6, CP8 and CP10 of the Oxford Local Plan, HP9 and HP14 of the Sites and Housing Plan, CS18 of the Core Strategy and the NPPF.

3. LEGAL AGREEMENT

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

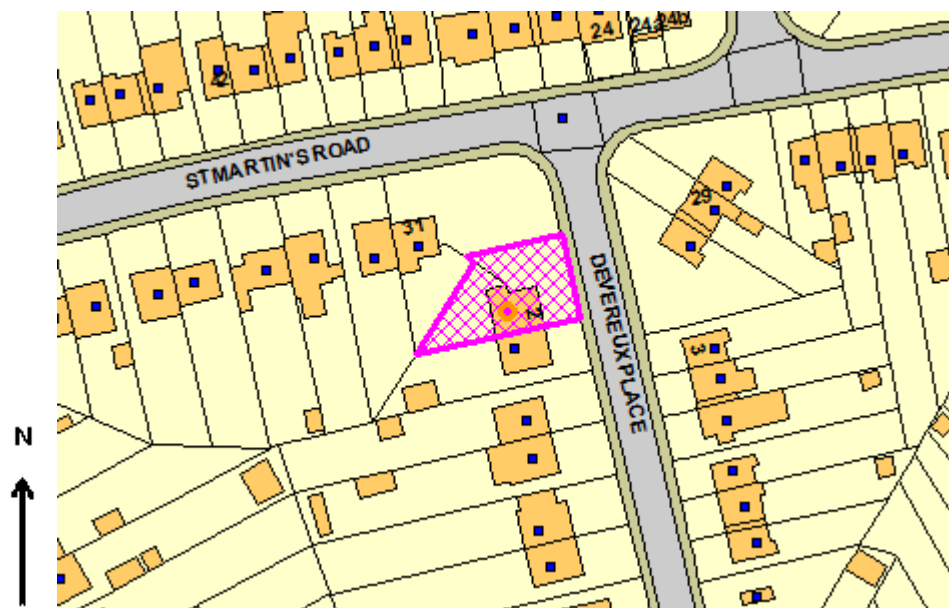
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located within the Rosehill and Iffley Ward of Oxford to the south east of the city centre. Devereux Place is accessed from Asquith Road. The property is a two storey semi-detached dwelling with a garden to the side and rear. To the south is the attached property on Devereux Place and to the north west is 31 St Martins Road which is set at 90 degrees to the host dwelling.

5.2. See location plan below:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes the erection of a two storey side extension to the existing dwelling. The proposed side extension would project beyond the side elevation of the existing dwelling by 4 metres with a depth of 5.6 metres. As such the front elevation of the extension would be set back from that of the main dwelling by 2.9 metres and the rear elevation would be continuous with that of the main dwelling. The proposed extension would have a hipped roof with an eaves height of 5 metres and a ridge height of 7.5 metres and would be set down

from the ridge of the main roof by 1 metre. The extension would be finished in brick with tiles to the roof to match the existing. Access to the rear garden via the side of the house would be retained.

6.2. Officers note that a window in the ground floor of the front elevation of the extension was omitted from the proposed elevations originally submitted. Clarification was sought from the applicant, as this window was shown on the submitted proposed floor plans but not the elevations. It was confirmed that the window should have been included in the proposed elevations and amended plans were provided in order to address this. Officers did not consider it necessary to re-advertise the application as the changes were very minor and providing clarification only.

7. RELEVANT PLANNING HISTORY

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

70/00623/M_H - Erection of rear lobby to give internal access to existing outside W.C.. PERMITTED DEVELOPMENT 11th September 1970.

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 Oxford Local Plan
Design	117, 118, 122, 127	CP1 CP6 CP8 CP10	CS18	HP9	DH1
Natural Environment		CP11 NE15			G8
Social and community				HP14	H14
Miscellaneous	38, 47	CP13		MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 8th May 2019 and an advertisement was published in The Oxford Times newspaper on 2nd May 2019.

Statutory and non-statutory consultees

9.2. No relevant statutory or non-statutory consultees.

Public representations

9.3. No third party comments were received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design
- Neighbouring amenity
- Trees

a. Design

10.2. Policies CP1, CP8, CP10, CS18 and HP9 seek to ensure that development is well designed and relates well to the existing house and surroundings.

10.3. A considerable number of properties in the surrounding area have been altered and extended with single storey rear extensions. While larger two storey extensions are less common, there are a number of examples within Devereux Place and St Martin's Road to the north. While it is to the side rather than the rear, the proposal represents an addition similar in scale to those of surrounding properties. The extension is of quite a substantial width, but it is narrower than the main dwelling by approximately 2 metres. Given this and the extent to which it is set back from the front elevation of the main dwelling, and the extent to which the roof is set down from that of the main dwelling, the addition would appear relatively subservient to the existing house. The fenestration and materials would relate well to the existing dwelling and are considered acceptable.

10.4. It is noted that the application site occupies on a corner plot and is therefore prominently visible within the street scene. It is considered that due to the orientation and substantial set back of the extension it would form an acceptable relationship with the existing dwelling and would be a suitable addition within the street scene. For example the extension would not jut out towards the highway and erode openness as might be the case on some corner plots. Moreover due to the juxtaposition of dwellings, the proposed extension would sit adjacent to the existing dwelling and be seen within that context and that of the neighbouring property on St Martins Road. It would not be more prominent than either of these dwellings. On balance the proposal is not considered to detract from the character and appearance of the area.

10.5. The proposal is considered to comply with policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, HP9 of the Sites and Housing Plan, CS18 of the Core Strategy and DH1 of the emerging Oxford Local Plan 2036, noting that it only has limited weight at this time.

b. Impact on neighbouring amenity

10.6. Policy HP14 of the Sites and Housing Plan states that planning permission will only be granted for development that provides reasonable privacy and daylight to

neighbouring properties, does not have an overbearing impact or result in a loss of outlook afforded to neighbouring properties.

10.7. 31 St Martin's Road lies to the north west of the application site. The proposed extension complies with the 45 degree line when applied to windows serving habitable rooms at 31 St Martin's Road. 31 St Martin's Road is situated 5.5 metres from the shared boundary with 2 Devereux Place at its closest; the proposed extension is situated 1.5 metres from the shared boundary at its closest. Therefore at its closest the proposed extension would be 7 metres from the rear extent of this property. For these reasons, it is considered that the proposed extension would not result in any loss of light to the dwelling at 31 St Martin's Road or any unacceptable impact of overbearing to the dwelling or private garden. While the extension would introduce rear-facing windows at first floor which would be closer to the dwelling and shared boundary at 31 St Martin's Lane, the resulting relationship would not be uncommon for this kind of urban setting. The closest window would be separated from the shared boundary by 4 metres and would only allow oblique views towards the dwelling at no.31. There would be a degree of additional overlooking of the rear garden of no.31 although this would not be increased above that which already exists from rear and side facing windows at no. 2 and the adjoining semi to no. 31, to an extent which would be considered unacceptably harmful. On balance it is considered that the proposals would not result in unacceptable degrees of overlooking or loss of privacy to the neighbour at 31 St Martin's Road.

10.8. The proposed extension is wholly screened from the adjoining dwelling at 4 Devereux Place by the host dwelling and there would therefore be no impact to this neighbour in terms of light, outlook or overlooking.

10.1. The proposal is considered to comply with HP14 of the Sites and Housing Plan and H14 of the emerging Oxford Local Plan 2036, noting that it only has limited weight at this time.

c. Trees

10.2. Policy NE15 of the Oxford Local Plan 2001-2016 states that planning permission will not be granted for any development which involves the destruction or major surgery of trees where this would have a significant adverse effect upon public amenity, unless such action can be shown to be good arboricultural practice.

10.3. Although the proposed extension might adversely impact or require the removal of an adjacent sycamore tree, this is a low quality and value tree that is multi-stemmed and has self-seeded near the boundary wall, which is not significant to public amenity in the area. The proposals are therefore considered to comply with policies CP1, CP11 and NE15 of the Oxford Local Plan and G8 of the emerging Oxford Local Plan 2036, noting that it only has limited weight at this time.

11. CONCLUSION

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.
- 11.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.4. In summary, the proposed development would be an acceptable addition to the existing dwellinghouse. The proposals are suitable in design terms and comply with policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, HP9 of the Sites and Housing Plan, CS18 of the Core Strategy and DH1 of the emerging Oxford Local Plan 2036. The proposals would not result in any harm to neighbouring amenity and are compliant with HP14 of the Sites and Housing Plan and H14 of the emerging Oxford Local Plan.
- 11.5. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material consideration

- 11.6. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.7. National Planning Policy: the NPPF has a presumption in favour of sustainable development.
- 11.8. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 11.9. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be

approved without delay. This is a significant material consideration in favour of the proposal.

11.10. Officers would advise members that, having considered the application carefully, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016, and the emerging Local Plan 2036, when considered as a whole, and that there are no material considerations that would outweigh these policies.

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

12. CONDITIONS

1 The development to which this permission relates must be begun not later than the expiration of 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 proposed development shall be as specified in the application hereby approved. There shall be no variation of these materials without the prior written consent of the local planning authority.

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

13. INFORMATIVES

1 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

14. APPENDICES

- **Appendix 1** – Site location plan

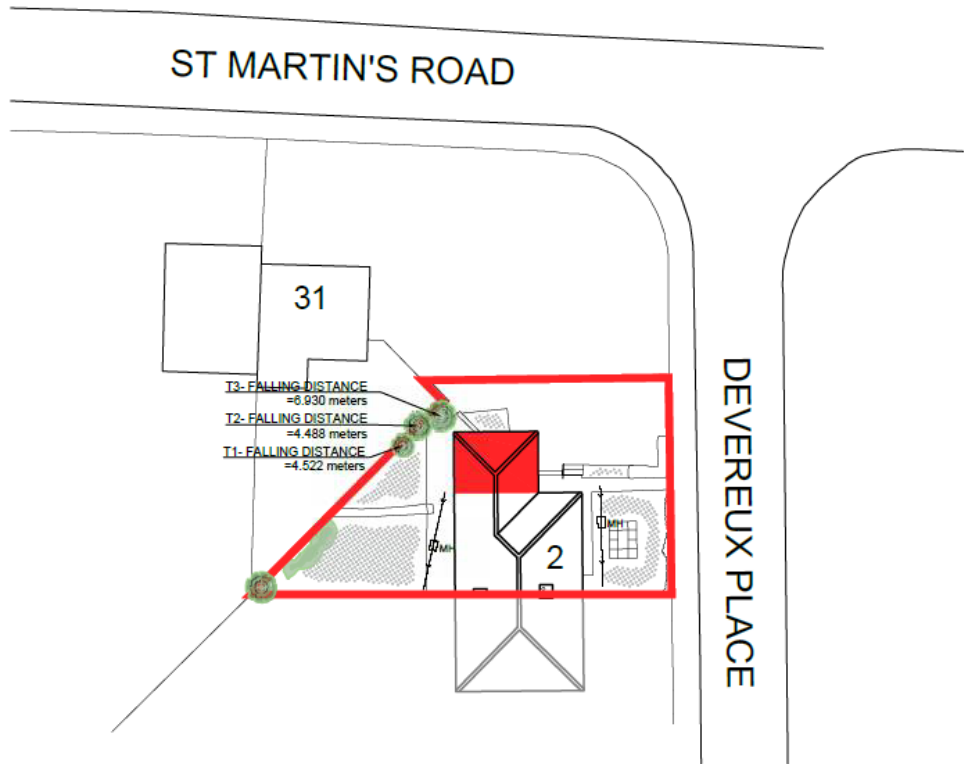
15. HUMAN RIGHTS ACT 1998

15.1. 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.

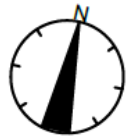
16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Appendix 1 – Block Plan



PROPOSED BLOCK PLAN
SCALE 1:500



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EAST AREA PLANNING COMMITTEE

3rd July 2019

Application number:	19/01029/CT3		
Decision due by	2 nd July 2019		
Extension of time	12 th July 2019		
Proposal	Erection of single storey front extension. Installation of extract fan, high level ducting and replacement inspection chamber.		
Site address	Headington Community Centre, 39 Gladstone Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Quarry And Risinghurst Ward		
Case officer	Sarah Chesshyre		
Agent:	N/A	Applicant:	Mr James Axford
Reason at Committee	The application is made by the 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 erection of a single storey front extension to the community centre and the installation of associated extractor fan, ducting and inspection chamber.

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

- Design
- Amenity
- Accessibility

2.3. The development is considered acceptable in design terms and will not detract from the character and appearance of the area. The proposal would not have a detrimental impact on neighbouring properties and would be acceptable in respect of accessibility. The development is considered to comply with CP1, CP6, CP8, CP10, CP13 and CP21 of the Oxford Local Plan, HP9 and HP14 of the Sites and Housing Plan, CS18 of the Core Strategy, GSP4, AMP1 and CIP1 of the Headington Neighbourhood Plan and the NPPF.

3. LEGAL AGREEMENT

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

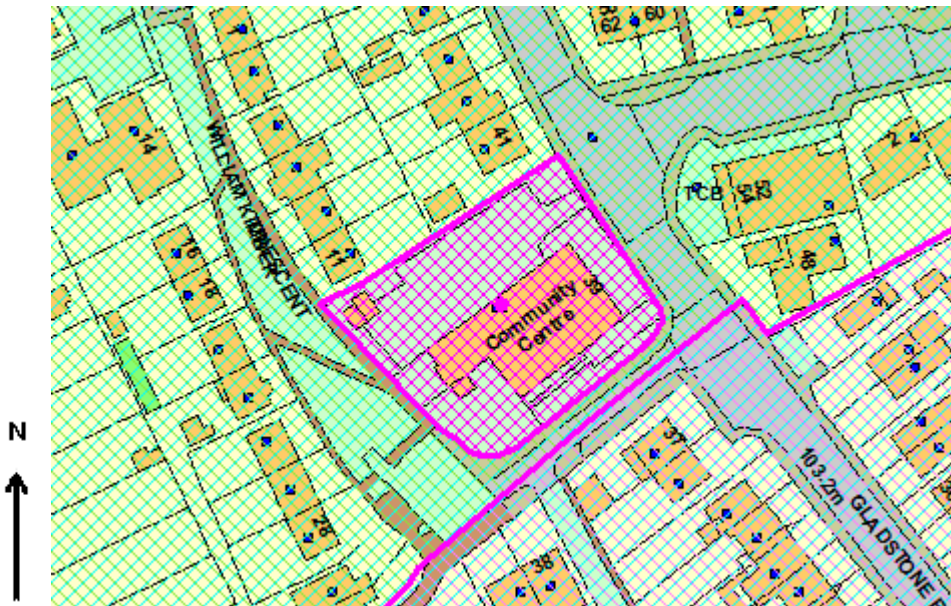
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located within the Quarry and Risinghurst Ward to the east of the city centre. The community centre is located on Gladstone Road, accessed from London Road. The community centre is a single storey building constructed from brick and block in the early 1960s. The centre sits within grounds of mixed hard and soft landscaping.

5.2. See location plan below:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes the erection of a single storey front extension to the existing building to accommodate a disabled WC. It is required to replace the existing disabled WC as it is not compliant with building regulations in terms of its size. The proposed extension would project beyond the front elevation of the existing building by 1.3 metres with a width of 2.5 metres. The main entrance of

the building is recessed from the front elevation and set back beneath the roof; the proposed extension would be set beneath this existing roof projection, and would form a continuous build line with the front elevation at the north east corner. The extension would have an eaves height of 3 metres, continuous with the existing building. The extension will be constructed from rendered blockwork to match the existing building. A new extract fan and new inspection chamber will be installed to serve the existing and new WCs. The extract fan is a very small scale (0.2m by 0.2m) addition to the building and would not be prominently visible. Internally, high level ducting will be installed to connect the existing proposed toilets to the extract fan. The inspection chamber is sited within the ground and replaces an existing inspection chamber that would be covered by the extension.

7. RELEVANT PLANNING HISTORY

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

59/08262/A_H - Community Centre. APPROVED 14th July 1959.
59/08751/A_H - New community centre. PERMITTED DEVELOPMENT 8th December 1959.
65/16937/A_H - Extension of additional room for general purpose use. APPROVED 26th October 1965.
88/01024/NF - Erection of hut. APPROVED 26th October 1988.
93/00405/GT - Retention of use of hut for storage purposes (Renewal of NF/1024/88). APPROVED 24th September 1993.
96/00803/GF - Erection of section of 1.8 metre high railings to William Kimber Crescent. APPROVED 1st August 1996.
98/01503/GT - Retention of hut for storage purposes. (Renewal of GT/405/93). APPROVED 13th November 1998.
00/02183/GF - Erection of community notice board. APPROVED 8th February 2001.
12/01716/CT3 - Creation of disabled access. APPROVED 17th September 2012.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy	Local Plan	Core Strategy	Sites and Housing Plan	Headington Neighbourhood Plan	Emerging Oxford Local Plan 2036
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	Framework					
Design	117, 118, 122, 127	CP1 CP6 CP8 CP10	CS18	HP9	GSP4 CIP1	DH1
Social and community	83, 92			HP14	AMP1	
Environmental		CP21				RE8
Miscellaneous	38, 47	CP13		MP1		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 15th May 2019 and an advertisement was published in The Oxford Times newspaper on 16th May 2019.

Statutory and non-statutory consultees

Natural England

9.2. No comments

Internal Environmental Development

9.3. No objection, informative recommended

Internal Environmental Health

9.4. No objection.

Public representations

9.5. No third party comments were received in response to the consultation.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design
- Amenity
- Accessibility

a. Design

10.2. Policies CP1, CP8, CP10, CS18, HP9, CIP1 and GSP4 seek to ensure that development is well designed and relates well to the existing building and surroundings.

- 10.3. The proposed extension is a very modest addition to the existing building. The extension would be continuous with the existing front elevation, and would be set below the existing roof, and therefore would relate well to the existing building and would be a relatively seamless addition. The materials for the extension would match those used in the existing building and are considered acceptable. The extract fan is a very small scale addition, along with the other alterations to install internal ducting and an inspection chamber, and none of these would not be prominently visible or harmful to the external appearance of the building.
- 10.4. The proposal is considered to comply with policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, HP9 of the Sites and Housing Plan, CS18 of the Core Strategy, CIP1 and GSP4 of the Headington Neighbourhood Plan and DH1 of the emerging Oxford Local Plan 2036, noting that it only has limited weight at this time.

b. Impact on amenity

- 10.5. Policy HP14 of the Sites and Housing Plan states that planning permission will only be granted for development that provides reasonable privacy and daylight to neighbouring properties, does not have an overbearing impact or result in a loss of outlook afforded to neighbouring properties. Policy CP21 of the Oxford Local Plan states that planning permission will be refused for developments which will cause unacceptable noise.
- 10.6. The closest residential property is located at 41 Gladstone Road and is separated from the front elevation of the building by at least 16 metres. The proposed extension would not result in any loss of light to any neighbouring buildings or have any impacts in terms of being overbearing, reducing privacy etc given the small scale of the proposals and significant distances intervening. As the proposed extension is to facilitate improvements to an existing facility, it is not considered that the proposal would result in any increase in activity associated with the community centre use, and the proposal is not considered to result in any harm to amenity in this respect. No objection is raised by Environmental Health officers in regard to the proposed ventilation equipment, and it is of a small enough scale that no concerns in relation to noise or nuisance are raised.
- 10.7. The proposal is considered to comply with HP14 of the Sites and Housing Plan and H14 of the emerging Oxford Local Plan 2036, noting that it only has limited weight at this time.

c. Accessibility

- 10.8. Policy CP13 of the Sites and Housing Plan states that planning permission will only be granted for development which makes reasonable provision for access by all members of the community.
- 10.9. The proposal development would improve the accessibility of the existing building and facilities at the community centre by providing an enlarged disabled WC that would be compliant with current building regulations in this regard. The extension would not alter the existing access arrangements to the building.

10.10. The proposal is considered to comply with CP13 of the Oxford Local Plan.

11. CONCLUSION

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

11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

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

11.4. In summary, the proposed development would be an acceptable addition to the existing building. The proposals are suitable in design terms and comply with policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, HP9 of the Sites and Housing Plan, CS18 of the Core Strategy, GSP4 and CIP1 of the Headington Neighbourhood Plan and DH1 of the emerging Oxford Local Plan 2036. The proposals would not result in any harm to neighbouring amenity and are compliant with HP14 of the Sites and Housing Plan and H14 of the emerging Oxford Local Plan. The proposals also support the objectives of CP13 of the Oxford Local Plan and AMP1 of the Headington Neighbourhood Plan.

11.5. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material consideration

11.6. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.

11.7. National Planning Policy: the NPPF has a presumption in favour of sustainable development.

11.8. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.

11.9. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.

11.10. Officers would advise members that, having considered the application carefully, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016, and the emerging Local Plan 2036, when considered as a whole, and that there are no material considerations that would outweigh these policies.

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

12. CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of 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 proposed development shall be as specified in the application hereby approved. There shall be no variation of these materials without the prior written consent of the local planning authority.

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

13. INFORMATIVES

- 1 If unexpected contamination is found to be present on the application site, an appropriate specialist company and Oxford City Council should be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use.

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

14. APPENDICES

- **Appendix 1 – Site location plan**

15. HUMAN RIGHTS ACT 1998

15.1. 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.

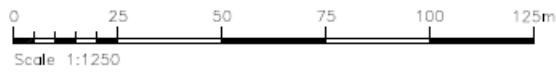
16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Appendix 1 – Location Plan



Location Plan



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Minutes of a meeting of the EAST AREA PLANNING COMMITTEE on Wednesday 5 June 2019

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Committee members:

Councillor Taylor (Chair)	Councillor Chapman
Councillor Clarkson	Councillor Donnelly (for Councillor Tanner)
Councillor Gotch (for Councillor Wade)	Councillor Lloyd-Shogbesan
Councillor Simm	Councillor Roz Smith

Officers:

Adrian Arnold, Acting Head of Planning Services
Gill Butter, Conservation and Urban Design Officer
Sally Fleming, Planning Lawyer
Rachel Drinkwater, Committee Services Support Officer
Clare Gray, Principal Planner
Mike Kemp, Senior Planning Officer
Andrew Murdoch, Development Management Service Manager
Jennifer Thompson, Committee and Members Services Officer

Apologies:

Councillors Aziz, Tanner and Wade sent apologies.

1. Election of Chair for the Council Year 2019-20

Councillor Taylor was elected as Chair of the Committee for the Council year 2019-2020.

2. Election of Vice Chair for the Council Year 2019-20

In his absence, Councillor Tanner was elected as Vice-Chair of the Committee for the Council year 2019-2020.

3. Declarations of interest

Minute 5:

Councillors Simm and Roz Smith declared that they were former employees of Oxford Brookes University but they had no disclosable pecuniary interest to declare and no predetermined view.

Councillor Lloyd Shogbesan declared that he had a disclosable pecuniary interest in the application as his wife worked for Oxford Brookes University, and he left the room and took no part in the debate or decision on this item.

4. 18/02587/FUL: Site Of Blocks C F G H J K L And M Clive Booth Hall, John Garne Way, Oxford OX3 0FN

The Committee considered an application for planning permission for the demolition of Blocks C, F, G, H, J, K, L and M of Clive Booth Student Village and erection of 1,077 student bedrooms with associated communal and social facilities (revised land ownership certificate) (amended) at John Garne Way, Oxford OX3 0FN.

The Planning Officer gave a presentation on the application and drew attention to an additional note circulated at the meeting about European Protected Species. She explained that consideration had been given to the three tests under regulation 53 of the Conservation of Habitats and Species Regulations 2010 which were considered to be met by the application and that it was therefore likely that a licence would be granted for any disturbance that might be caused to the bats which were present on the site.

Four speakers spoke against the application: Alan Cooper (representing John Garne allotment association); Nigel Berry (New Marston residents Association); John Small and Tessa Hennessy (local residents). Their main concerns were that the benefits of the application did not outweigh the harm to the conservation area and the residents of Headington; the impact on the allotments; and the loss of biodiversity.

Brendan Casey (Brookes registrar), Sean Keeley (President of the Students' Union) and James Roach (architect) spoke in support of the application and outlined its benefits.

Councillors asked questions of the planning officers, and speakers representing the applicants and the objectors. The officers and speakers answered all the questions.

During the debate and questions the Committee's main concerns were:

- The number of trees that were going to be felled and the time taken for their replacements to grow to maturity, resulting in a significant detrimental long-term change to the landscape around the site: a scheme which had fewer rooms could take more account of the existing mature trees.
- The view of the new buildings from around the city, in particular from areas close to the site. The wooded hillside would be adversely affected by the loss of mature trees and increased light pollution from large blocks at the lower edge of the site;
- Doubt that the application was going to free up 246 houses to release back on to the market, as the figures from national guidance could not be shown to apply to Oxford's HMO rental market;
- That the public benefit may therefore be less than expected, and that this did not then lead to the public benefit of the development outweighing the harm;
- The overall negative effect of the larger blocks due to their mass and height on the wider Headington Hill conservation area;
- The scale, bulk, height and length of the buildings especially at the southern and lower end of the site created an over-dominant urban edge to the John Garne allotments and was detrimental to the amenity of the allotment holders;
- The development was contrary to policies in the Local Plan and in the Headington Neighbourhood Plan which sought to preserve the character of the Headington Hill conservation area.

On being proposed, seconded, and put to the vote the Committee agreed to refuse planning permission for the application.

The East Area Planning Committee resolved to:

1. **refuse** planning permission for application reference 18/02587/FUL for the reasons listed below:
 - (a) The density and height of the tall apartment block would give rise to an overdevelopment in terms of scale, mass and density at the southern/lower end of the site which would not be in keeping with the context of the site and surrounding area.
 - (b) The significant loss of trees as a result of the density, height, mass and scale of the development would have an adverse impact on the character of the site and would not be offset by the proposed mitigation.
 - (c) The proposals would create an adverse impact on the local conservation area in particular causing unacceptable harm to the views from the allotments at John Garne Way;
 - (d) The public benefit of releasing houses back to the private rental market would be less than expected, and would not be sufficient to outweigh the considerable harm that would be caused by this development to the local area, and accordingly the requisite test was not met.
2. **and delegate authority** to the Acting Head of Planning to finalise the reasons for refusal including such refinements, additions, and amendments as considered reasonably necessary, and issue the refusal.

5. 19/00366/CT3: Green Spaces And Hardstanding, Furlong Close, Oxford

The Committee considered the formation of 24 car parking spaces and 1 disabled bay and alterations to landscaping on areas of green space and hardstanding at Furlong Close, Oxford.

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 19/00366/CT3** for the reasons given in the report and subject to the 10 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. 19/00643/CT3: 63 Asquith Road, Oxford, OX4 4RN

The Committee considered an application for planning permission for the demolition of the existing single storey rear extension and the erection of a single storey rear extension at 63 Asquith Road, Oxford, OX4 4RN.

James Cookson (the agent for the applicant) spoke in support of the application.

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 19/00643/CT3** for the reasons given in the report and subject to the 3 required planning conditions and one informative set out in sections 12 and 13 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.

7. 19/00644/CT3: 16 Croft Road, Oxford, OX3 0JY

The Committee considered an application for planning permission for the erection of a single storey side extension; alterations to the roof of the existing side extension from pitched to flat; infill of one window to rear elevation; and formation of a ramp, handrail and decking to rear elevation at 16 Croft Road, Oxford, OX3 0JY

James Cookson (the agent for the applicant) spoke in support of the application.

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 19/00644/CT3** for the reasons given in the report and subject to the 4 required planning conditions and one informative 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.

8. Minutes

The Committee resolved to approve the minutes of the meeting held on 1 May 2019 as a true and accurate record.

9. Forthcoming applications

The Committee noted the list of applications.

10. Dates of future meetings

The Committee noted the meeting dates.

The meeting started at 6.00 pm and ended at 8.45 pm

Chair

Date: Wednesday 3 July 2019

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