

Agenda

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East Area Planning Committee

Date: **Wednesday 4 December 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 Stef Garden	Headington;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Christine Simm	Cowley;
	Councillor Roz Smith	Quarry and Risinghurst;

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

Copies of this agenda

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

AGENDA

Pages

Planning applications - background papers and additional information

To see representations, full plans, and supplementary information relating to applications on the agenda, please [click here](#) and enter the relevant Planning Reference number in the 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 19/02003/FUL: Plot 16, Oxford Science Park, Robert Robinson Avenue, Oxford, OX4 4GA

11 - 60

Site address: Plot 16, Oxford Science Park, Robert Robinson Avenue, Oxford.

Proposal: Proposed erection of two linked Class B1 office buildings with associated landscaping, car parking, infrastructure and related works.

Recommendation: East Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission subject to:
 - Officer's consideration of any comments received following additional consultation which expires on 9 December 2019 intended to allow the residents of the adjacent Minchery Farm Cottages to comment on the application.
 - the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report; and
2. **delegate authority** to the 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 Head of Planning Services considers reasonably necessary; and

- decide whether to refer the application back to the planning committee in light of any consultation comments received following the committee;
- 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 Head of Planning Services considers reasonably necessary; and
- complete the section 106 legal agreement referred to above and issue the planning permission.

4 18/02918/OUT: 17 Between Towns Road, Oxford, OX4 3LX

61 - 92

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

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

Reason at Committee

Members resolved at the East Area Planning Committee held on 16th January 2019 to approve planning permission for the proposed development subject to a legal agreement to provide an off-site financial contribution towards affordable housing.

The Policy position in relation to the application of adopted Policy HP4 for decision making has been altered. Consequently an off-site financial contribution towards the provision of affordable housing is no longer required and therefore the application needs to be reported back to Committee.

Recommendation: East Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 11 of the report and grant planning permission; and
2. **delegate authority** to the 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 Head of Planning Services considers reasonably necessary.

5	19/02577/FUL: Ashlar House, Adjacent 2 Glanville Road, Oxford, OX4 2DD	93 - 114
	Site address: Ashlar House, Adjacent 2 Glanville Road, Oxford, OX4 2DD.	
	Proposal: Erection of 4 x 2 bed flats, 2 x 1 bed flats, 2 x 4 bed dwellinghouses, 1 x 3 bed dwellinghouse (Use Class C3) and associated external works; provision of amenity space, car parking, bin and bicycle storage.	
	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; and 2. delegate authority to the 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	19/01871/CT3: 18 Lambourn Road, Oxford, OX4 4GN	115 - 124
	Site address: 18 Lambourn Road, Oxford, OX4 4GN	
	Proposal: Erection of single storey rear 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 2. delegate authority to the Head of Planning Services to finalise the recommended conditions and informatives as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary. 	
7	19/02210/CT3: Site Of 1 To 7 Birchfield Close, Oxford	125 - 130
	Proposal: Erection of 2no. sheds and 5no. bin stores.	
	Site address: Site Of 1 To 7, Birchfield Close, Oxford	

Recommendation: East Area Planning Committee is recommended to:

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

8 Minutes

131 -
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Recommendation: to approve the minutes of the meeting held on 6 November 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
18/03405/FUL: Holy Family Church , 1 Cuddesdon Way, Oxford, OX4 6JH	Committee level decision
19/00779/FUL: Land at 1-7 Jack Straw's Lane/ 302-304 and 312 Marston Road, Oxford, OX3 0DL	Committee level decision
19/01059/CT3: 56 Dashwood Road, Oxford, OX4 4SH	Council application
19/02159/FUL: Hill View Farm, Mill Lane, Marston, Oxford, OX3 0QG	
19/02247/VAR: John Radcliffe Hospital, Headley Way, Oxford, OX3 9DU	Committee level decision
19/02453/FUL: Kassam Stadium And Land Adjacent , Falcon Close, Oxford, OX4 4XP	Called in
19/02620/FUL: 17, 17A, 17B and 19 Between Towns Road, Oxford, OX4 3LX	Committee level decision
19/02635/FUL: 297 Cowley Road Oxford OX4 2AQ	Called in
19/02652/FUL: 3 New High Street, Oxford, OX3 7AJ	Called in

19/02691/FUL: Land At The Junction Of Hosker Close And Merewood Avenue, Oxford	Called in	
19/02767/FUL: 4 Eastern Avenue, Oxford, OX4 4QS	Called in	

10 Dates of future meetings

Future meetings of the Committee are scheduled at 6.00pm on

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.**

East Area Planning Committee

4th December 2019

Application number:	19/02003/FUL		
Decision due by	24th October 2019		
Extension of time	TBC		
Proposal	Proposed erection of two linked Class B1 office buildings with associated landscaping, car parking, infrastructure and related works		
Site address	Plot 16, Oxford Science Park, Robert Robinson Avenue, Oxford – see Appendix 1 for site plan		
Ward	Littlemore Ward		
Case officer	Michael Kemp		
Agent:	Mrs Emma Andrews	Applicant:	Mr Piers Scrimshaw-Wright
Reason at Committee	This is a major application		

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 subject to:

- Officer's consideration of any comments received following additional consultation which expires on the 9th December 2019 intended to allow the residents of the adjacent Minchery Farm Cottages to comment on the application.
- the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and

1.1.2. **agree to delegate authority** to the 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 Head of Planning Services considers reasonably necessary; and

- Decide whether to refer the application back to the planning committee in light of any consultation comments received following the committee.
- Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and]
- Complete the section 106 legal agreement referred to above and issue the planning permission.

2. EXECUTIVE SUMMARY

- 2.1. This report considers the proposed development of 19,823sqm of Class B1 office space split across two four storey buildings each with undercroft podium parking. The scheme would also provide hard and soft landscaping and access improvements to the site. The development would be located on a plot of land which lies within the north east corner of the Oxford Science Park. The application has been the subject of a minor amendment during the submission to exclude a small replacement access bridge, as detailed designs for the replacement bridge have not yet been finalised and would otherwise be required as part of the assessment of flood risk on the site.
- 2.2. Most of the development would be located on an area of land allocated within the Sites and Housing Plan (Policy SP43) and the Emerging Local Plan (Policy SP10) for Class B1 employment use. A section of the new development would also be located on an area of land currently used as a pumping station by Thames Water, nevertheless this land is adjacent to the Science Park and redevelopment of this part of the site for Class B1 employment purposes is logical given the spatial relationship between this part of the site and the Science Park. The principle of development is accepted and complies with the relevant site specific policies relating to development on the Science Park site, as well as the wider employment policies of the Council's Existing and Emerging and Local Plan.
- 2.3. The removal of the pumping station and opening up of the existing aspect along Minchery Lane provides the opportunity to deliver public realm enhancements along Minchery Lane and access improvements along an important access route for pedestrians and cyclists. Improvements to this route, including the addition of new lighting are sought by the County Council and the applicants are in agreement to deliver these improvements, which would be carried out through a Section 278 agreement between the applicants and the County Council. The site specific provisions relating to the wider Science Park site recognise the need to improve pedestrian and cycle links into and throughout the site, the proposed development would deliver access enhancements to the site through the enhancement of the existing pedestrian and cycle routes adjacent to Plot 16.

- 2.4. The site specific policy provisions also recognise the need to facilitate a modal shift in how people access the Science Park through reducing dependency on the private car and through increased uptake in use of public transport as well as walking and cycling. The proposals are to provide 540 car parking spaces, including 28 disabled spaces as well as 22 motorcycle parking spaces. This is a relatively high number of spaces, though this would be in line with the maximum parking standards outlined under Policy TR3 of the Oxford Local Plan and accounting for the numbers of staff which may be working in the buildings, this provision would not be excessive. The parking provision should account for the overall sustainability of the site and it is accepted that the site is in a somewhat peripheral location which limits access by walking or cycling and public transport links to the site are currently limited.
- 2.5. Following negotiation with Oxfordshire County Council the applicants have committed to a financial contribution of £400,000 towards the delivery of bus services within Oxford's Eastern Arc which forms part of the City Council and the County Council's proposals to improve citywide public transport provision. The proposed contribution would provide funding equivalent to the cost of delivering one bus per hour between the Science Park, East Oxford and Headington. It is intended that further contributions would be sought on other large sites within the vicinity to enable the delivery of a regular service between the Science Park and Oxford's Eastern Arc. The committed contribution is supported by officers as this would assist in providing and increasing the regularity and reliability of public transport access to the site, enhancing the overall sustainability of the site and would assist in delivering an increase in modal shift away from private car use as the principal means of accessing the Science Park.
- 2.6. It is important that the layout and design of the scheme accounts for the future provision of a railway station to the north of the development site, as delivery of a station in this location is envisaged should the proposals to reopen the Cowley Branch Line come forward which remains a strategic priority. The proposed design and layout of the scheme accounts for the future delivery of a station to the north of the site, in terms of access and the relationship of the built form to the station. Network Rail has advised that the proposed development would not obstruct delivery of a station in this location, therefore the development would be considered to be compatible with the delivery of this key infrastructure project.
- 2.7. In terms of the overall scale of development the proposed buildings would be large, though this is not incomparable to the general scale of the existing buildings on the site which generally consist of large plan office buildings generally ranging between 3 and 4 storeys in height. The scale of the office buildings are driven by functional and operational needs. Wider views of the development would be limited, with the exception of views from Minchery Road to the north where the upper floors of the development would be visible above the existing railway embankment. When considering these external views officers consider the impact of development would not be unduly harmful.
- 2.8. The application site mainly comprises land falling within Flood Zones 2 and 3 and is considered to be at high risk of flooding. The application is accompanied by an FRA which assesses the relative flood risk on the site. The design of the scheme accounts for the relative flood risk on the site as the useable

employment space would be located above ground level, with parking accommodation and lower risk uses concentrated at ground level. The design of the scheme and intended mitigation, which can be managed by condition will ensure that the development does not impact detrimentally on biodiversity or protected species which may be present on the site, or adjacent land.

2.9. For the reasons expressed within this report, officers consider that the development as proposed is acceptable in accordance with the relevant provisions of the Oxford Local Plan; Oxford Core Strategy; Sites and Housing Plan; Emerging Local Plan and the NPPF and recommend that approval should be granted subject to the planning conditions outlined in this report and a section 106 agreement covering the matters in section 3 of this report.

3. LEGAL AGREEMENT

3.1. This application would be subject to a legal agreement to cover the following matters:

- A financial contribution of £400,000 towards public transport improvements which would be directed towards the delivery of a new bus service in the Eastern Arc.
- Travel Plan monitoring fee of £2,040
- To secure that a section 278 agreement is entered into to provide improvements to access and lighting on Minchery Lane
- Re-provision of nursery facility, as approved under planning application 19/02116/FUL.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for a CIL contribution of £985,586.42.

5. SITE AND SURROUNDINGS

5.1. The application site comprises a 1.92 hectare area of land located on the northern edge of the Oxford Science Park. The Oxford Science Park is a 30 hectare site comprising Class B1 uses which lies on the south eastern edge of Oxford. The Oxford Science Park opened in 1991 and consists of individual plots with buildings of varying architectural appearance and scale typically ranging between 2 and 4 storeys.

5.2. The application site, referred to as Plot 16 encompasses areas of undeveloped and previously developed land. The eastern area of the site comprises a single storey building currently used as a nursery. A temporary surface level car park has recently been formed on the site, which is linked to the ongoing development of the Bellhouse Building to the west of the site. The central area of the site currently comprises undeveloped landscaped grassland. The eastern section of the site is currently used by Thames Water as a pumping station. This area is fenced off and is surrounded by a number of large trees which provide screening of the site. There is a single storey building on the Thames Water site, whilst the

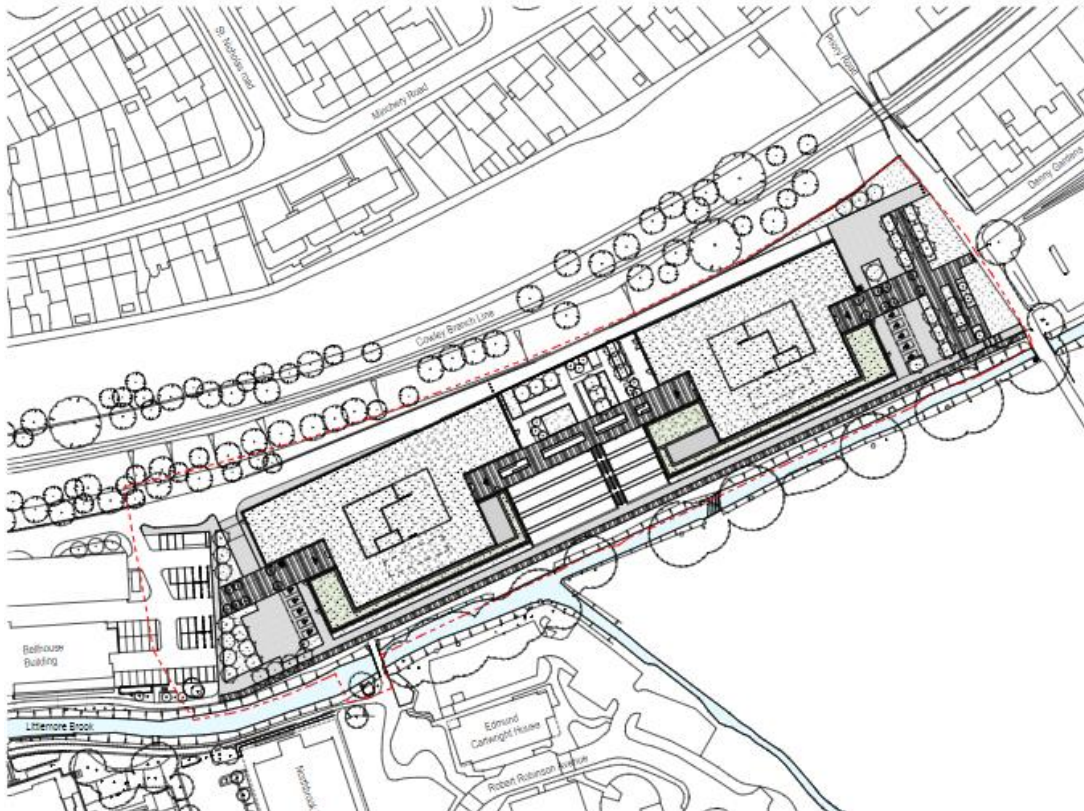
remainder of the site consisting of areas of hardstanding and infrastructure associated with the sites use as a pumping station.

- 5.3. Vehicular access to the site would be obtained from the existing access road to the north east of the site which passes through the Science Park. Vehicular access to the wider area is obtained from Grenoble Road to the south of the site. A pedestrian and cycle path runs across the southern edge of the site adjacent to Littlemore Brook, which is a small watercourse separating the site from existing development in the Science Park to the south. This is an important access which links the Science Park to Minchery Lane, a small access lane to the East which provides a principal means of access for cyclists and pedestrians to Littlemore and wider East Oxford. Adjacent to the pedestrian and cycle path there is an existing pedestrian access bridge crossing the watercourse to the south of the site.
- 5.4. The Magdalen Centre is located to the south east of the site, which is a large Class B1 building. Permission was granted in 2017 (17/03419/FUL) for the development of a three storey building (Bellhouse Building) to the north of the Magdalen Centre with undercroft parking, this permission has been implemented and the development is close to completion.
- 5.5. To the east of the application site is Minchery Lane, a pedestrian and cycle route which extends from Grenoble Road to Priory Road and existing residential development on the edge of Littlemore. To the north east of the application site is a small cul-de-sac serving the Minchery Farm Cottages which are a row of outlying two storey residential dwellings. Vehicular access along Minchery Lane is currently limited to the existing residential occupiers of Denny Gardens and service access to the Thames Water pumping station. Vehicular access is highly restricted by the existing narrow and low railway bridge to the north.
- 5.6. To the south east of the site is a complex of large buildings used principally for leisure uses. The land beyond Minchery Lane to the east of the site comprises surface level car parking associated with the Kassam Stadium and adjoining leisure uses. This site forms an allocation within the Sites and Housing Plan (SP24b) and is identified as being suitable for residential development.
- 5.7. The land to the south of the site comprises an undeveloped grass plot containing a number of mature trees. This site forms part of an allocation within the Council's Sites and Housing Plan (Policy SP44) for use as Class B1 employment purposes related to existing employment sectors on the Oxford Science Park. Beyond this is the Grade II* listed Priory which was last used as a pub and is currently vacant.
- 5.8. To the north of the application site is a railway embankment containing trees and thick vegetation cover, which separates the site from the Cowley Branch Line. The Cowley Branch Line is currently used for goods transport associated with the nearby BMW factory, however there are proposals to reopen the line for passenger use; this remains a key aspiration of the City Council and Oxfordshire County Council though there is not a precise timescale for this at present. The proposals for the reopening of the Cowley Branch Line include the potential siting of a new passenger station to the north of the application site which would

serve the Oxford Science Park along with the surrounding residential area and other nearby amenities such as the Kassam Stadium.

5.9. The land to the north of the railway is used as allotments. Beyond this is existing residential development consisting of two storey houses and three storey flats, which form the southern edge of Littlemore, this includes a recent development of three storey dwellings accessed from Priory Road.

5.10. The site block plan is pictured below:



6. PROPOSAL

6.1. The development proposed comprises two, four storey office buildings falling under a Class B1 use. The buildings would comprise upper floor office space across three levels with undercroft and lower ground floor parking. In total 19,823sqm of Class B1 office space is proposed. The south west and north east entrances to the site would include soft landscaping and external surface level disabled parking. A centralised square between the buildings would be created which would function as an external area of outdoor seating for users of the proposed buildings. This would include a mix of hard and soft landscaping. The site and proposed buildings would be split across varying levels. A terraced embankment would be created between the central amenity space and the Littlemore Brook to the south. It is intended that the embankment area would also function as an area of outdoor amenity space.

- 6.2. The existing footpath and cycle route would be retained along the southern boundary of the site. This route would be repositioned slightly and enlarged. An area of space would be retained between the path and the brook. A strip of land would be retained to the north of the site adjacent to the railway embankment. Restricted vehicular access would be provided along this route which would be limited only to service and emergency vehicles. It is proposed that this area of the site would be principally unchanged; so as to allow for the future development of a rail station/halt on the site should the proposals for the reopening of the Cowley Branch line be brought forward in the future.
- 6.3. In total parking provision on the site would comprise 540 spaces, which would mainly be provided within the lower podium areas of the building with a further 28 disabled parking bays provided externally. Cycle parking would be provided within the podium area adjacent to the car parking.

7. RELEVANT PLANNING HISTORY

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

96/01416/NO - Outline application for extension to Science Park (Phase 2 & 2a) including scheme of structural landscaping with mounding adjacent to Grenoble Road roundabout (Amended plans) – Approved
98/01835/VK - Phase 2 Oxford Science Park Grenoble Road - Variation of conditions 4 and 5 on permission P90/W0627/0 to allow a further 12 months for the submission of reserved matters application & commencement of development – Approved
99/00257/NF - Phased infrastructure works, roads, road and foot-bridges, lakes footpaths, earth works, bunding and planting, for phases 2 and 2a of the Oxford Science Park – Approved
17/03419/FUL - Erection of a 3-storey office building (Use Class B1) and laboratory space above an undercroft parking and arrival space. Formation of car parking spaces and cycle storage. The building will have a ground floor entry pavilion including entrance lobby, changing facilities at back of house. External car parking will be provided at grade and in the undercroft, including 9 accessible spaces and bicycle parking. Additional parking to be provided at Plot B – Approved

8. RELEVANT PLANNING POLICY

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

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Emerging Local Plan

Design	12	CP1 CP6 CP8 CP9 CP10 CP11 CP13	CS18		DH1 DH2
Conservation/ Heritage	16	HE2 HE3			DH3 DH4
Commercial	6	EC1	CS27 CS28	SP43	E1 SP10
Natural environment	15	NE15 NE20 NE21 NE23	CS11 CS12 CS2		G1 G2
Transport	9	TR1 TR2 TR3 TR4 TR5 TR6 SR9	CS13 CS14		M1 M2 M3 M4 M5
Environmental	15	CP19 CP20 CP21 CP22 CP23	CS9 CS10		RE1 RE2 RE3 RE4 RE6 RE7 RE8 RE9
Miscellaneous		CP.13 CP.24 CP.25			

9. CONSULTATION RESPONSES

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

9.2. To ensure that the residents of the nearest adjoining dwellings (Nos. 1 to 6 Minchery Farm Cottages) were aware of the application, direct neighbour notifications were sent by post to these addresses prior to this committee meeting. As the consultation period outlined on the neighbour notification letters expires after the date of the East Area Planning Committee, the recommendation to members is subject to officers giving due consideration to any comments which may be received prior to the East Area committee meeting and following this meeting, up until the consultation expiry date of the 9th December. The recommendation includes the delegation of authority to the Head of Planning to

refer the application back to the planning committee in light of any consultation comments received following the committee, if considered necessary to do so.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.3. No objections are raised subject to conditions.

Traffic Generation

9.4. The applicant has undertaken a TRICs assessment to assess the trip generation impact to the site, this shows a peak hour increase of 360 cars in the AM peak and 321 cars in the PM peak. The assessment undertaken to determine these trip rates are deemed acceptable.

9.5. The applicant has then assessed the distribution of these trips using 2015 survey data which naturally shows the junctions closer to the site having a larger percentage of the vehicles. The applicant has also undertaken junction impact assessments for a number of junctions requested by Oxfordshire County Council, these have been assessed either using ARCADY software or by traffic flows provided by the county council.

9.6. These show that the junctions closer to the site which will be taking a larger proportion of traffic are operating under capacity with the development not causing a severe impact. The assessment of Littlemore roundabout which was highlighted as a potential concern shows that the development will increase traffic in the AM peak by 54 vehicles and in the PM peak by 48 vehicles, this is the equivalent of 1.1% percent of the vehicles using the junction at those times and it is therefore not considered that the scheme will materially affect the operation of this junction.

9.7. In summary, it is not considered that the impact of this development will have a severe impact on the operation of the local highway network.

Car Parking and Cycle Parking

9.8. The applicant states that 540 car parking bays are to be provided plus 28 disabled bays and 22 motorcycles. Oxford's car parking standards for commercial developments states that a maximum of 1 space per 35m² should be provided for B1(a) use class and that 5% of these should be allocated for disabled users. As the development is to be 19,823m² the total number of parking bays provided should be maximum 566 including 28 disabled bays.

9.9. The Transport Assessment states that there is a requirement to provide visitor and car sharing bays which is correct, but it is not clear whether this is meant to be included within the car parking numbers provided or if this is to be on top. Furthermore, no figures for these have been included. For clarification, car sharing and visitor bays should be included within the parking standards so the site should be providing a maximum of 566 bays. A condition requesting further information has therefore been included

- 9.10. The Transport Assessment states that 220 covered and secure cycle spaces are to be provided within the podium car park underneath the buildings. This is to be located close to the cycle route and is in line with local standards. 4 cycle spaces will also be located to the front of each building for visitors, this is welcomed.

Access

- 9.11. The Oxford Science Park and Magdalen College have a legal obligation to provide a link between the Science Park and Littlemore Park as does the Littlemore Park application from their land in application 14/02940/OUT. Littlemore Park have left land available and prepared their site for an access but cannot fulfil the obligation without the science park also doing this, so far this has not been provided as per the legal requirement in the agreement for application 16/01945/FUL.
- 9.12. This is an important link to the employment zone from the local residential areas which may be working on the site and there are wider connectivity issues for pedestrians and cyclists with limited and substandard provision across the area which is made worse by severance caused by the railway line and built-form of residential areas. This means cycling and walking distances are much longer and therefore less attractive. Some of this would be resolved by creating a new pedestrian and cycle link through to 'Littlemore Park' which would mean a new and larger residential catchment would be within walking and cycling distance of the application site and wider Oxford Science Park area. It would also provide a more direct route for cyclists using Sandford Road and Oxford Road. To increase permeability and sustainable access to the site this needs to be provided.
- 9.13. The Oxford Science Park and Magdalen College are therefore in breach of a legal obligation, action may be taken by Oxford City Council's enforcement team if this link is not provided..
- 9.14. Initial discussions with the applicant's transport consultant included potential enhancements to the existing path that runs parallel with the application site and connects it with St Nicolas Road to the north and Grenoble Road to the south, and whilst this route is surfaced and lit in some places some modest enhancements could be made to improve the attractiveness and make it more cycle (and pedestrian) friendly throughout the year. It is noted that the current modal share for walking and cycling to the Oxford Science Park is relatively modest for Oxford at 24.1%.
- 9.15. The applicant states that improvements to footpath 281/1/40 will be paid for through CIL contributions, however, public right of way improvements are not on the CIL 123 list and therefore this is not possible. The county council therefore requires the applicant to submit a street lighting design to the county council which brings the street lighting along the footpath up to current standards and deliver the work. The county council also requires the applicant to replace the gate approximately 50 metres from the railway bridge with a new system that allows easier movement for cyclists and pedestrians.

Public Transport

- 9.16. The site will reserve an area as a 'pocket park' which can potentially be used as a station for the Cowley Branch Line should this become open to pedestrians in the future, this is considered beneficial but at this stage there is no certainty that this will come forward.
- 9.17. Bus services to the Oxford Science Park are limited; with the 3A service providing a half-hourly service connecting the site to Oxford city centre via Iffley Road.
- 9.18. The County Council's Local Transport Plan (LTP4) contains an explicit proposal for an 'eastern arc' rapid transit route around Oxford, providing much improved public transport access to the wider Cowley employment area from the Headington area, also from the Oxford North development area and from further afield, through access to Park and Ride sites. The 'Connecting Oxford' paper recently jointly published by Oxford City and Oxford County Councils also stresses the importance of an Eastern Arc bus route. It is planned to request financial contributions from other developers towards the delivery of this rapid transit route. Contributions have already been requested from the 'Oxford North' site for example and will also be requested from the residential sites provisionally allocated in the South Oxfordshire Local Plan (reference; the South Oxfordshire IDP).
- 9.19. The applicants for the development at Oxford North have committed an amount for an operational bus service which will create the start of the Eastern Arc bus route from their site running to Headington. The financial contribution sought from this site will be towards a twice hourly bus service from Headington until the Eastern Arc route is fully operational at which time will form part of that route. 2011 census data shows that a large number of people working in the area are arriving from Headington and East Oxford, so it is considered that a bus service from this area to the science park will be well used. An index linked contribution of £400,000 is sought from the development. Oxfordshire County Council (Drainage)

Drainage

- 9.20. The updated surface water drainage plan 13140 CRH XX 00 DR C 5050 P8 is acceptable. Document titled "Second Response to LLFA Drainage Comments" is acceptable. Evidence is required that proves EA objection has been satisfied and released.

Thames Water Utilities Limited

- 9.21. A letter has been received from the Head of Property at Thames Water confirming that the principle of the relocation of the pumping station has been agreed and a technical design for the new pumping station is currently being considered by Thames Water.
- 9.22. Thames Water has indicated their support for the inclusion of the site, including the pumping station within the allocation of the site in Policy SP10 of the Emerging Local Plan.

- 9.23. No objections are raised, subject to a condition requiring that confirmation has been provided confirming that network upgrades required to accommodate the additional flows from the development have been completed or an infrastructure delivery plan has been agreed with Thames Water.

Network Rail

- 9.24. Based on Network Rail's current proposed station location, we have no objection to Oxford Science Park's planning application for their Plot 16 development. The intention of the new station is to serve Oxford Science Park, so Plot 16 should be compatible to the station design. It should be stressed that Network Rail's proposal is at the earliest possible stage of development, with no outline or detailed designs, and should be considered at this stage as 'concept only.'
- 9.25. Network Rail and its contractor(s) may require access to land owned by Oxford Science Park during design & construction.

Thames Valley Police

- 9.26. Do not object – recommend condition requiring application for Secured by Design Accreditation.

Environment Agency

- 9.27. The previous objection regarding the potential impact of the bridge on flood risk and lack of detail in respect of the design of the bridge is withdrawn following amendments to exclude the bridge from the proposed plans. Conditions are recommended in respect of safeguarding ecology.

Natural England

- 9.28. No comments to make

Historic England

- 9.29. Do not wish to comment

Littlemore Parish Council

- 9.30. Littlemore Parish Council would like to make the following points in response to this application.
- We welcome the provision of more jobs in our area.
 - We strongly support Oxfordshire County Council's comment that the 3A bus service is limited. There is no service after 20:00 on this route, and no bus at all on Sundays and bank holidays. As well as inconveniencing employees at the Science Park, the poor provision greatly disadvantages residents in the southern end of Littlemore and Sandford-on-Thames, especially those without access to cars.

- We are disturbed at the confusion and lack of transparency relating to a previous permission at Edmund Halley Road and a contribution to the bus service. It must surely be possible for the County Council to ensure that funding for buses is made according to a condition imposed by the planning department.
- We are also greatly concerned that no progress has been made towards the provision of a pedestrian and cycle path through to Littlemore Park (Armstrong Road). The County Council has previously stated that cycle access via Sandford is unsafe, and it is a long walk from Littlemore to the Science Park.
- We believe that at present the footpath which runs along the southern edge of this site is closed at the Priory end at night and over weekends. We wonder whether this will change with the construction of a shared cycle/pedestrian path, and especially when the station opens.
- We are uncertain whether any calculations have been made as to the number of parking spaces which will be required when the railway line opens for use. It seems, understandably, that the large number of spaces under the new building are intended for employees and not the general public. We anticipate that people from south of Oxford will want to drive to the Science Park in order to access Oxford and points beyond by train, and wonder where the car parking provision will be.
- At present the brook is a haven for wildlife along most of its length. We would ask that the greatest care is taken to protect this wildlife corridor from damage during building work and thereafter.

Public representations

9.31. No members of the public have made representations in relation to the proposals.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design and Heritage Impacts
- Neighbouring amenity
- Highways, access and parking
- Ecology
- Flooding
- Sustainability
- Air Quality
- Trees
- Noise

- Contamination
- Archaeology

Principle of development

Provision of Class B1 Uses

10.2. The development principally involves the creation of Class B1 employment space. Policy EC1 of the Oxford Local Plan and Policy CS27 of the Core Strategy supports the provision of new employment space with a view to promoting sustainable economic development in the city. Economic development forms one of the three overarching objectives in the NPPF (Paragraph 8) for achieving sustainable development. This includes placing significant weight on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development.

10.3. The Oxford Science Park is one of the largest dedicated employment sites within the city and is listed as a Key Employment site within the existing local development framework and under the provisions of the Emerging Local Plan, in which the site is listed as a Category 1 (highest tier) Employment Site. Policy CS28 of the Core Strategy allows for development on key employment sites where this:

Secures or creates employment important to Oxford's local workforce; and allows for higher-density development that seeks to make the best and most efficient use of land; and does not cause unacceptable environmental intrusion or nuisance.

10.4. The provisions of Policy E1 of the Emerging Local Plan is similarly reflective of these requirements and affords protection to employment uses on Category 1 sites.

10.5. The majority of the application site, with the exception of the Thames Water pumping station lies within land designated for employment uses associated with the Oxford Science Park and is allocated under Policy SP43 of the Sites and Housing Plan and Policy SP10 of the Emerging Local Plan for Class B1 employment use.

10.6. The intended use of the site for the development of Class B1 employment space is clearly consistent with the Local Existing and Emerging Policy aims relating to development on protected employment sites and is consistent with the site specific provisions relating to the Oxford Science Park. The proposals include development on land which falls outside of the boundaries of the Science Park as defined on the policies map, this being the development on the pumping station site. Notwithstanding this, officers consider that development of the adjacent pumping station would be acceptable in principle, as the site is adjacent to the Science Park site and existing employment uses. In addition to this the development on the Thames Water site would be focussed on previously developed land which is consistent with the Policy requirements of Policy CS2 of the Core Strategy and Paragraphs 117 and 118 of the NPPF. With respect to the

loss of the Thames Water pumping station it is noted that Thames Water has agreed to the re-provision of this facility and have indicated their support for the proposals.

- 10.7. It is considered that there would be significant economic benefits arising from the provision of 19,823sqm of dedicated employment space. The Oxford Science Park is a vitally important site for delivering research based employment which contributes significantly to the local economy and the proposals are estimated to create approximately 1200 jobs. The proposals are considered in principle to be compliant with Policies CS27 and CS28 of the Core Strategy; Policy E1 of the Oxford Local Plan; Policy SP43 of the Sites and Housing Plan; and Policies E1 and SP10 of the Emerging Local Plan.

Loss of Nursery Facility

- 10.8. The proposals would result in the loss of the existing nursery building which is located on the site. This building falls under a Class D1 use and should be treated in policy terms as a community facility. Policy CS20 of the Oxford Core Strategy specifies that planning permission will not be granted for development which results in the loss of such facilities unless equivalent new or improved facilities, where foreseeable need justifies this, can be provided at a location equally or more accessible by walking, cycling and public transport.
- 10.9. The nursery is well used and is open not just to those working on the Science Park site, but also the wider community. It is proposed that the nursery would be re-provided within the Sadler Building, a mixed use hub building located at the centre of the Oxford Science Park, 450 metres to the south west of the existing building. A planning application (19/02116/FUL) has already been approved for the re-siting of the nursery building and partial change of use of the Sadler building to a Class D1 use. The nursery use as approved within this application would be split across the ground floor and first floor of the Sadler Building and there would be a new area of outside space provided to the north east of the building. The approved proposals would, in officers' view justify an enhancement in terms of the quality of the space, when compared with the existing nursery building, which is small and constrained. The existing building is not of a high design standard as the building lacks windows and natural light to the internal spaces is somewhat limited. An equivalent level of external space would be provided at the Sadler Building. In terms of accessibility the Sadler Building is only 450 metres away from the existing nursery and would be in a more central location on the Science Park site which is arguably more accessible, particularly in terms of public transport access.
- 10.10. Taking these factors into account it is considered that the loss of the nursery building would be justified on the basis that the Class D1 space which would be lost in the existing building would be adequately replaced within the Sadler Building as approved under planning application 19/02116/FUL. The development would therefore comply with the requirements of Policy CS20 of the Oxford Core Strategy. The requirement to implement planning permission 19/02116/FUL in order to ensure the re-provision of a nursery facility would be controlled through the Section 106 agreement.

Design and Heritage Impacts

- 10.11. In terms of design the NPPF requires high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy require that development proposals incorporate high standards of design and respect local character. This is also reflected within Policy DH1 of the Emerging Local Plan, which specifies that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness.
- 10.12. The site lies on the periphery of the Oxford Science Park. The site comprises buildings of varying architectural design which reflects the somewhat piecemeal development of separate plots on the site since its formation in the early 1990's. Typically existing buildings are relatively large in footprint and vary between three and four storeys. There is relatively extensive landscaping throughout the wider site with a significant number of trees, though there is also a large amount of surface level car parking. Within some of the more recent developments, including the extension to the Magdalen Centre, car parking provision has been incorporated as undercroft parking; this is partly driven by existing flood risk and a subsequent requirement to avoid the provision of office accommodation at lower levels.
- 10.13. The design element of the proposals has been developed in consultation with officers and has been subject of a design review with the Oxford Design Review Panel. The comments of the Oxford Design Review Panel are included in **Appendix 2** to this report.
- 10.14. In response to the linearity of the site the design sets out a pair of narrow, orthogonal buildings connected via a central route, in part enclosed within buildings and in part open where it runs through the separating, central open space between the two buildings. In response to the existing flood risk the buildings have been designed to sit on a podium (two storeys) of car parking, the footprint of which essentially covers the area of the site with the exception of landscaped arrival points at the west and east ends of the site. To address the future potential of a working railway connection the lowest floor of occupied building is aligned with the height of the top of the existing railway embankment.
- 10.15. Reflecting that the site and new buildings will become a new gateway into the Science Park, the eastern end of the buildings together with the open frontage has been designed as a distinctive frontage to herald the Park and to adapt to changing uses, for example the future reopening of the Cowley Branch Line.
- 10.16. In response to the desire to ensure that activity along the edge of the Brook is limited to prevent disturbance of protected species and other, important ecology, the active building frontage has been raised two floors above the marginal
- 10.17. The building masses are split into a northern and southern mass split by a central west-east route that runs through each building and connects across the

open space at the centre of the site. This split reduces the effective depth of plan facilitating natural daylighting and potentially facilitates a simple separation of laboratory and office space.

- 10.18. The external skin of the building facades are designed on a repeating grid which sets up strong, vertical rhythms to break up what will be long facades on an unrelentingly orthogonal building mass and enables the different facades to respond to their orientation. The ends of each upper building is held or enclosed in a crafted “outer skin” adding interest to the overall appearance of the building and adding architectural interest. The external façade of the buildings would be clad with aluminium cladding panels. The lower section of the building would be clad with perforated metal panels. A green wall would be established along the south elevation of the building facing the Littlemore Brook. Green roofs are proposed on each of the buildings.
- 10.19. It is noted that the lower elevations of the building are somewhat lacking in activity, with the exception of the ground floor entrances to the building on the east and west elevations of the building. Typically blank elevations at ground floor level particularly facing accesses and public rights of way would not be encouraged in design terms. In this instance as the site is located within Flood Zones 2 and 3 and as there is a corresponding high risk of flooding, office space cannot be provided at ground floor level which greatly restricts the possibility of providing windows and more active frontages at this level. Furthermore, there would be a potentially adverse impact on biodiversity were windows to be provided along the access corridor adjacent to Littlemore Brook.
- 10.20. The space at the eastern and western ends of the building – in particular that at the east end has been carefully designed to herald entrances into the building. The eastern one being connected to existing public realm and therefore offering a new place on existing public routes. The design of the space is such that it should be able to perform all these functions well.
- 10.21. The applicant has provided within their design and access statement a series of visual representations as a means of demonstrating the extent to which the development would be visible in key views within the Science Park site and from outside the Science Park. Owing to the location of the site to the rear of the Science Park, in addition to the siting of existing development and dense tree cover, the proposed development is unlikely to be visible in views from Grenoble Road to the south of the site.
- 10.22. The site is visible from Robert Robinson Avenue to the south of the site between the existing buildings. The proposed visuals indicate that due to the proposed levels and site topography, the scale of development would not be excessive and is broadly comparable to the scale of surrounding buildings. Similarly in views from the west, notably in views from the road access bridge adjacent to the Magdalen Centre, the scale of the building when perceived from this viewpoint would not be dissimilar to that of the Magdalen Centre and other surrounding buildings.
- 10.23. The upper floors of the proposed buildings would be visible above the existing railway embankment in views from the north, including from Minchery Lane and

St Nicholas Road where the building would be seen in glimpsed views between the houses and most notably the existing blocks of flats. The upper floors would be relatively prominent when viewed from the allotments to the rear of the properties in Minchery Lane, though this is not considered to be harmful or overbearing and is not inappropriate for what would be a gateway site to the Science Park.

- 10.24. The front (east) elevation of building B would be clearly visible from Minchery Lane to the east of the development site. The proposed buildings would be large, particularly in relation to the modest scale of the neighbouring two storey properties opposite (Minchery Lane Cottages). There would however be a separation distance of 45 metres between building B and the side elevation of No.1 Minchery Farm Cottages. The significant separation distance between the larger scale buildings at Plot 16 and the cottages would ensure that there is clear differentiation between the varying scale of the existing and proposed built form. The various landscaping works and the provision of additional lighting, alongside the removal of the pumping station and vegetation, which currently form a dead frontage to Priory Lane would be an enhancement in terms of the visual aspect along Minchery Lane.
- 10.25. The site lies within 165 metres of the Grade II* listed Priory which is a detached stone building, which originally formed part of a nunnery, but was last used as a pub. The building would have sat previously in an area of relatively open countryside, though the setting has been altered considerably by surrounding development including the adjacent hotel and leisure uses.
- 10.26. The proposed development would be considered to lie within the wider setting of this heritage asset. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a listed building, great weight should be given to its conservation.
- 10.27. The proposed buildings would be spatially distant from the Grade II* listed Priory and are unlikely to appear prominent, or be perceived to any significant degree within the setting of the Grade II* listed building. The buildings would be set against the backdrop of similar large scale office buildings. The proposals in officers' view would have no significant impact on the setting of the Grade II* listed building and the proposals would not result in harm to the significance of this heritage asset.
- 10.28. The development is therefore considered to comply with the requirements of Policy HE7 of the Oxford Local Plan and Paragraph 192 of the NPPF. The design of the development responds positively to the character, scale and massing of the surrounding built form and complies with Policies CP1, CP8 and CP9 of the Oxford Local Plan; Policy CS18 of the Core Strategy and Policy of the DH1 of the Emerging Local Plan.

Impact on neighbouring amenity

- 10.29. To be acceptable, new development must demonstrate that it can be developed in a manner that will safeguard the residential amenities of the adjoining properties in terms of loss of amenity, light, outlook, sense of enclosure, and loss of privacy in accordance with Policy CP10 of the Oxford Local Plan 2001-2016.
- 10.30. The majority of the surrounding land uses fall under similar Class B1 uses. There is however existing residential development to the north of the site along Minchery Road and to the north east, this being Minchery Farm Cottages that lie adjacent to the entrance to the pumping station. In terms of the properties to the north of the site there would be a minimum separation distance of 60 metres between the rear elevation of buildings A and B and the rear gardens of the neighbouring properties fronting Minchery Road (Nos.104 to 50) and 70 metres to the windows of the rear elevation of the houses and flats. Between the rear windows of the office building and residential properties is a railway embankment with thick tree cover which limits visibility of the development and any subsequent overlooking.
- 10.31. Officers consider the separation distances to be substantial between the facing rear windows of the two office buildings and the rear amenity spaces and facing windows of the neighbouring properties in Minchery Road. Consequently officers consider that the development would not result in an undue loss of privacy to existing occupiers. The overall separation distance between the proposed buildings on Plot 16 and these existing properties in Minchery Lane is significant enough to ensure that there would also not be a loss of light or overbearing impact on the occupiers of these properties with respect to the scale of the proposed built form.
- 10.32. To the north-east directly adjacent to the pumping station lies a group of cottages which are referred on the submitted plans as Denny Gardens, whereas in actual fact they are addressed as Minchery Farm Cottages. There is a run of 6 cottages in this location all of which do not face directly onto the site. The side elevation of 1 Minchery Farm Cottages, which is the closest of the cottages to the site has a return frontage onto the lane, and the proposed development would be on the opposite side of the lane.
- 10.33. There would be a separation distance of 45 metres between the east facing elevation of building B and the side elevation of No.1 Minchery Farm Cottages. This property has been extended to the side and rear, though there is only a single side facing window in this property which serves a bathroom. In addition to this the majority of the windows are orientated at an angle, which does not directly face Nos.1 to 6 Minchery Farm Cottages, further limiting the extent to which any of the new windows may overlook these existing properties. Accounting for this it is considered that the development would not result in a loss of privacy to the occupiers of Nos. 1 to 6 Minchery Farm Cottages.
- 10.34. The proposed buildings would be large in scale, however accounting for the separation distance of 45 metres between the east facing elevation of building B and the side elevation of No.1 Minchery Farm Cottages and the even greater separation distance to Nos.2 to 6, officers consider that the development would not have an overbearing impact on these properties by reason of the scale of the

proposed built form. A mainly landscaped area will be formed to the front of building B to create a buffer between the development at Plot 16 and the existing properties. When assessing the orientation and position of the proposed buildings in relation to Minchery Farm Cottages, including the orientation and position of the rear amenity spaces of the cottages and windows serving habitable rooms, officers consider that the proposed development would not result in overshadowing or undue loss of light to these properties.

- 10.35. The development would lead to increased activity along Minchery Lane, which would have a transformative impact in terms of the character of the lane and would impact to some extent on the amenity of the occupiers of the adjacent cottages. Notwithstanding this, there are notable benefits which are provided through an increase in activity, not least in terms of security and public safety which will benefit local residents as well as general users of this right of way. At present the siting of the pumping station ensures that there is no natural surveillance along the lane and the lane is poorly lit and in places overgrown with vegetation. The siting of the development would provide natural surveillance along the lane, whilst also providing the opportunity for new lighting, both within the site and along Minchery Lane itself. This has been requested by the County Council and would be carried out through a Section 278 agreement and is supported by Thames Valley Police.
- 10.36. Policy CP20 of the Oxford Local Plan aims to avoid unacceptable levels of light pollution or spillage. The applicant's design and access statement provides an indicative lighting strategy, which includes an approach designed to reduce potential light spillage reducing the potential impact on adjacent residential occupiers, particularly those closest to the site at Minchery Farm Cottages. Further details of the lighting strategy will be required by condition in order to ensure that the specification of the lighting and siting of the lighting does not impact negatively on the amenity of adjacent occupiers, in addition to having a potentially negative impact on site ecology.
- 10.37. A noise assessment has been prepared which sets out details of expected noise sources from the proposed development, setting these against measured current background noise levels and proposing noise criteria for the new development. The design criteria are in line with the Council's expected noise limits for new development and the development and officers consider that likely noise generation would not have an adverse impact on the amenity of adjacent residential occupiers, including those at Minchery Farm Cottages to the east of the site and the residents to the north at Minchery Road. Consequently officers consider that the development would not conflict with the requirements of policies CP9, CP19 and CP21 of the Oxford Local Plan 2001 – 2016. A condition is attached requiring that noise emitted from operations on the premises shall not exceed the specified sound pressure levels.
- 10.38. It should also be noted that the character of the immediate area is likely to be the subject of significant change in the future given the allocation of various adjacent sites within the existing and draft development framework. The site at Plot 16 exists already as an allocation for employment development within the Sites and Housing Plan (SP43) and is scheduled for inclusion within the draft local plan (SP10). Furthermore the undeveloped site to the south is also included

as an employment allocation within the Sites and Housing Plan (SP44), whilst the overflow parking serving the Kassam Stadium is allocated for residential development within the Sites and Housing Plan (SP24b) and draft local plan (SP15). Furthermore the proposed siting of a new railway station as part of the proposed reopening of the Cowley Branch Line will further increase activity along Minchery Lane. The scale of development on plot 16 is therefore commensurate with the anticipated level of development, likely to come forwards in the future within the vicinity of the site.

- 10.39. Overall it is considered that the proposed development would not compromise the residential amenity of neighbouring properties by reason of overlooking, loss of light or by reason of the scale of the built form. The development is therefore considered to be compliant with Policy CP10 of the Oxford Local Plan 2001-2016.

Transport

Transport Sustainability

- 10.40. The application is accompanied by a Transport Assessment, as required under the provisions of Policy TR1 of the Oxford Local Plan. Parking for employment based uses are identified under Policy TR3 of the Oxford Local Plan, this sets maximum parking standards. When considering applications for development the overall sustainability of the location should be given due consideration. In the case of employment based development this includes access to public transport. In total 540 parking spaces are proposed, 24 of these would be accessible parking bays.
- 10.41. The Oxford Science Park is located on the edge of the city in what would be considered a somewhat peripheral location. Currently the Science Park is served by a single bus service (3A) which runs to the City Centre every 30 minutes via Littlemore, Rose Hill and the Iffley Road. The nearest bus stop is located south of the Magdalen Centre, approximately 400 metres from the site.
- 10.42. Policy CS13 of the Core Strategy outlines that planning permission will only be granted for development that prioritises access by walking, cycling and public transport. Policy CS14 outlines the need to improve the ease and quality of access between the city and district centres and key destinations. Policy TR3 of the Existing Local Plan, which relates to car parking provisions, specifies that where appropriate, the City Council will seek a planning obligation for contribution towards or provision of improved accessibility to the site, proportionate to the scale of development and potential trip generation. This reflects the need to achieve a reduction in the use of the private car as a principal means of transport, in order to achieve a modal shift towards more sustainable means of transport.
- 10.43. The two main pedestrian and cycle routes into the site are from Grenoble Road to the south and Minchery Lane to the north. The latter of these two routes provides a more direct route into Littlemore, East Oxford and the City Centre. The existing pedestrian route from Minchery Lane leading from Priory Road to Grenoble Road is currently considered to be of a poor standard as this is poorly

lit and feels generally unsafe. Pedestrian access into and through the site is not of a high standard at present.

- 10.44. The site specific policy requirements outlined within Policy SP43 of the Sites and Housing Plan state a requirement to minimise car parking spaces and minimise traffic impacts by improving access by alternative means of transport, this is similarly reflected within the requirements of Policy SP10 of the Emerging Local Plan. The most recent, updated modifications to Policy SP10 promote opportunities to enhance and promote more sustainable travel to and from the park.
- 10.45. The retention and widening of the pedestrian and cycle access along the southern edge of the site is welcomed and the removal of the pumping station and opening up of the eastern edge of the site provides an opportunity to improve the existing access route along Minchery Lane. It is noted that new lighting is proposed along Minchery Lane, together with the addition of the new building which would provide natural surveillance, it is considered that this would improve safety and the general experience for users of this public right of way. Oxfordshire County Council have requested that the applicant enter into a Section 278 agreement to provide improvements to Minchery Lane, including new lighting, this is supported by officers as there is a need to improve this important access route and doing so would enhance connectivity from the park to the surrounding areas. The requirement for the applicants to enter into a Section 278 agreement would be required within the applicants Section 106 agreement.
- 10.46. The site's location would not generally be considered to be sustainable in terms of wider accessibility and access to public transport, this is reflected in the fact that the majority of journeys to the site are made by car, with 24.1% of users in the applicant's travel survey stating that they used active means of travel to access the site (i.e. walking and cycling) and 12.9% stating that they used public transport.
- 10.47. The proposed reopening of the Cowley Branch Line would considerably alter the situation assuming that a station were to be delivered at the Oxford Science Park site. This would allow for direct access to the site from Oxford Railway Station and beyond. Policy CS14 of the Core Strategy and Policy M1 of the Emerging Local Plan outlines support for the delivery of the Cowley Branch Line and safeguards sites for stations; this includes the area of land to the north of the Plot 16 site. The applicant's design and access statement outlines how this station may be delivered. This includes two separate entrances to the station one of which would be located to the north east of the site, which would serve as the main station entrance and would be adjacent to Minchery Lane allowing for ease of access for nearby residents as well and supporters during match days at the Kassam Stadium. A central access is shown which would be used mainly by those accessing the Science Park.
- 10.48. Network Rail has raised no objections to the proposed development and considers that the proposed development would be compatible with the type of station which would serve the Oxford Science Park. This is likely to be a platform halt with minimal facilities. Officers are therefore satisfied that the proposed

development at Plot 16 is compatible with the delivery of a future station at the Science Park.

- 10.49. In the absence of certainty surrounding timescales for the reopening of the Cowley Branch Line and accounting for the existing lack of public transport access to the site, there would be a requirement to demonstrate how a large scale development which has the potential to create a significant number of jobs can reduce dependency on the private car and achieve a modal shift towards more sustainable means of transport.
- 10.50. It is noted that the Oxford Science Park currently fund the Pickmeup service, an app based demand responsive service providing shared minibus transport throughout the city. It is understood that this has been successful since its introduction, particularly in terms of providing a means of accessing the Science Park site from areas of the city not currently covered by public transport access to the site; this includes most of East Oxford, Headington and North Oxford. The value provided by such demand response services is noted in terms of flexibility and the range of the service.
- 10.51. It is noted that the applicant's initial offer in terms of a public transport contribution was to direct funding towards Pickmeup. Officers are supportive of such demand response services in terms of their contribution in reducing individual car journeys to the site. Officers are however of the view that demand responsive services would not form an effective means of achieving the much wider modal shift away from private car use that is sought by the allocation policy. The limited capacity and availability of vehicles and the reliability of demand responsive services limit the effectiveness to capture significant numbers of persons travelling to the site, particularly at busy peak times in the morning and afternoon where the need to reduce private car use is greatest given traffic congestion.
- 10.52. Emerging Local Plan Policy M1 (Prioritising walking, cycling and public transport) indicates that financial contributions will be sought towards the cost of new or improved bus services where existing services are not considered adequate. This includes promoting bus/rapid transit access to and between major employers in the Eastern Arc. The Oxford Science Park and the proposed development at Plot 16 would fall into this category as the proposed development would deliver a significant additional quantity of employment space and therefore a significant number of employees who will be accessing the site. As existing bus services to the site are infrequent and are limited to the 3A service which operates between the city centre and the Science Park, there is a need to increase the range and frequency of bus services, so as to encourage a modal shift in the uptake of public transport.
- 10.53. Oxfordshire County Council has requested a financial contribution of £400,000 towards the funding of additional services within the Eastern Arc area. Officers consider this to be reasonable request as this aligns with Policies CS13 and CS14 of the Core Strategy; Policy SP43 of the Sites and Housing Plan; and Policies M1 and SP10 of the Emerging Local Plan. Oxfordshire County Council has indicated that there are a significant number of journeys to and from the sub area of Littlemore, which includes the Science Park site, which originate from

Cowley, Headington and North Oxford, areas which do not currently benefit from direct public transport access to the site. The financial contribution of £400,000 would fund the provision of one bus per hour between the park and Headington. Further contributions are intended to be sought from other larger sites in the area to increase the number of services to allow a viable service to operate.

10.54. The Oxford Transport Strategy, including the more recent Connecting Oxford plan, both set out the need and level of ambition to better connect major employment sites across the Eastern Arc to the county towns, Park & Ride and other areas in the city. The County Council has requested funding towards the delivery of 4 buses per hour to Headington as part of the proposed development at Oxford North. Funding towards the Eastern Arc from the proposed development at the Oxford Science Park alongside other sites would enable the implementation of a wider transit arc between North Oxford, Headington, East Oxford and the Science Park. This has the ability to capture not just a large number of commuters living in Oxford itself, but also through the park and ride sites, places further afield such as Kidlington, Witney and Bicester where data indicates a high number of journeys to the Science Park originate. Furthermore the range of the Eastern Arc route would capture commuters not currently covered by the 3A bus service and areas which would not benefit from access to the Cowley Branch Line should this be brought forward.

10.55. The applicant has confirmed that he is prepared to provide the contribution requested by the County Council. This is welcomed and will contribute to achieving a modal shift away from dependency on the private car as a means of accessing the site and will encourage an uptake in public transport, through improvements to the range and frequency of public transport links to the site. The applicant currently voluntarily funds the 3A bus service between the site, Littlemore and the City Centre and have indicated that they will continue to do so, though this would not form the basis of the legal agreement relating to development on the site and, as such, this is not a material consideration that should be taken into account in the determination of the application.

10.56. Overall subject to a legal agreement required to secure the £400,000 towards bus service improvements in the Eastern Arc, the development would comply with Policies CS13 and CS14 of the Core Strategy; Policy SP43 of the Sites and Housing Plan; and Policies M1 and SP10 of the Emerging Local Plan.

Cumulative Highways Impacts

10.57. The applicant's Transport Assessment provides an analysis of the likely impact of the development on the surrounding road network. Owing to the number of parking spaces which would be provided and accounting for the number of persons likely to travel by private car to the site there would be an additional impact on the surrounding road network including Grenoble Road, the A4074 and Eastern Bypass Road.

10.58. The applicant has undertaken a TRICs assessment to assess the trip generation impact to the site, this shows a peak hour increase of 360 cars in the AM peak and 321 cars in the PM peak. The assessment undertaken to determine these trip rates are deemed acceptable.

- 10.59. The applicant has then assessed the distribution of these trips using 2015 survey data which naturally shows the junctions closer to the site having a larger percentage of the vehicles. The applicant has also undertaken junction impact assessments for a number of junctions requested by Oxfordshire County Council, these have been assessed either using ARCADY software or by traffic flows provided by the county council.
- 10.60. These show that the junctions closer to the site which will be taking a larger proportion of traffic are operating under capacity with the development not causing a severe impact. The assessment of Littlemore roundabout which was highlighted as a potential concern shows that the development will increase traffic in the AM peak by 54 vehicles and in the PM peak by 48 vehicles, this is the equivalent of 1.1% percent of the vehicles using the junction at those times and it is therefore not considered that the scheme will materially affect the operation of this junction.
- 10.61. When considering the development proposals, Paragraph 109 of the NPPF specifies that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It is the view of officers and the Highway Authority that the cumulative residual impact of the proposed development on the local highway network would not be severe and consequently there would be no conflict with Paragraph 109 of the NPPF.

Car and Cycle Parking

- 10.62. The applicant states that 540 car parking bays are to be provided plus 28 disabled bays and spaces for 22 motorcycles. Oxford's car parking standards for commercial developments states that a maximum of 1 space per 35m² should be provided for B1(a) use class or 1 space per two staff and that 5% of these should be allocated for disabled users. As the development would comprise 19,823m² of Class B1 space, the total number of parking bays provided should be a maximum of 566 including 28 disabled bays.
- 10.63. It is recognised that parking provision on the site is high, as this is close to the Council's maximum parking standards. Notwithstanding this, it is recognised that the Science Park is in a peripheral location on the edge of the city and it is accepted that there is a requirement for higher levels of car parking than would be typically expected or would otherwise be considered acceptable elsewhere in the city. It is also noted that the applicant's Transport Statement suggests that the number of staff could be between 1288 and 1791 employees. The maximum parking standards in line with Policy TR3 of the Oxford Local Plan for this number of employees would be in the range of 644 to 896, in which case provision would be relatively low and therefore emphasises the importance of enhancing public transport access to the site.
- 10.64. The applicant's Transport Assessment states that there is a requirement to provide visitor and car sharing bays which is correct, but it is not clear whether this is meant to be included within the car parking numbers provided. A condition requiring the provision of a car park management plan outlining the location of the car sharing and visitor bays is required.

10.65. It is proposed that 220 cycle parking spaces would be provided; the majority of these spaces (202) would be within the podium car park. Shower and changing facilities would also be provided. This provision is considered to be broadly in line with the requirements of Policy TR4 of the Oxford Local Plan.

10.66. Accounting for the size of the development and likely levels of traffic generation, a full travel plan will be required in accordance with the requirements of Paragraph 111 of the NPPF and Policy TR2 of the Oxford Local Plan. The travel plan should cover the new development, but should also address means of improving the transport sustainability of the wider Science Park site.

Ecology

10.67. Policy CS13 of the Core Strategy specifies that Development will not be permitted which results in a net loss of sites and species of ecological value. Where there is opportunity, development will be expected to enhance Oxford's biodiversity.

10.68. Habitats within and adjacent to the site are identified as being of local importance, this includes the Littlemore Brook and the railway embankment corridor area. The application is supported by an ecology survey. Whilst no evidence was found of bats or badgers the survey recorded 52 reptiles including slow worm and grass snake. The Littlemore Brook is identified within the applicant's ecology survey as having a high potential to support Otters and Water Vole.

10.69. An initial objection was raised by the Environment Agency on the basis that an inadequate assessment has been made of the risks to protected species and their habitats, including water vole and otters. There are records of water vole and otter in the vicinity of the site and Littlemore Brook, which has implications for development. On this basis and following feedback from the Environment Agency; the applicants have provided a water vole and otter survey. The applicant's further surveys indicate no records of otter or water vole within 250 metres of the site either side of the site boundary. The Environment Agency has stated that they consider the survey to be adequate and have removed their previous objection to the development on the basis that the development may result in harm to protected species.

10.70. A series of ecological mitigations will be required; this will include the submission of a Landscape Management Plan, the maintenance of an ecological buffer zone between the development and the Littlemore Brook. A strategy is required for the translocation of reptiles and a scheme for ecological enhancements is required.

10.71. Overall officers are satisfied that the development would not result in harm to protected species and site biodiversity and the development is considered to comply with the provisions of Policy CS12 of the Core Strategy.

Flooding

- 10.72. The majority of the application site falls within Flood Zone 2 and is classified as being at a high risk of flooding. A small section of the site adjacent to Littlemore Brook falls within Flood Zone 3 and is at the highest risk of flooding. The north eastern section of the site adjacent to Minchery Lane lies within Flood Zone 1 and is considered to be a low risk of flooding.
- 10.73. The application has been accompanied by a Flood Risk Assessment in accordance with the requirements of Paragraph 163 of the NPPF. The Environment Agency previously raised objections to the provision of a new pedestrian bridge to the south of the site, which crosses Littlemore Brook and is located within land falling within Flood Zone 3 in the approximate position of the existing pedestrian footbridge. The objections were raised on the basis that insufficient detail had been provided as to the design of the proposed bridge. A precise design for the bridge has yet to be developed, although this would be a small structure, similar to the existing bridge. As the design for the bridge has yet to be developed the bridge has been excluded from the development plans. As there is an existing bridge, which is in an acceptable condition the exclusion of the proposed bridge from the plans would not affect general access and connections from Plot 16 to the wider park. It is envisaged that a standalone separate planning application for a new bridge would be made at a later date, once the design of this structure has been further developed.
- 10.74. The office space and more vulnerable uses will be located above ground floor level, where parking provision is proposed and will therefore be safeguarded in the event of flooding.
- 10.75. The Flood Risk Assessment and drainage plan, which outlines a series of SUD's measures has been assessed by the Environment Agency and is adjudged to be acceptable. Officers are therefore satisfied that the development complies with the requirements of Policy CS11 of the Core Strategy.

Sustainability

- 10.76. Policy CS9 of the Core Strategy requires that all developments should seek to minimise their carbon emissions. 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.
- 10.77. The applicants have provided a Natural Resource Impact Assessment which outlines a range of sustainability measures. The scheme achieves a BREEAM rating of very good, however the scheme targets reaching a BREEAM standard of excellent.
- 10.78. It is intended that the design of the buildings would incorporate a combination of passive and active design measures including air source heat pumps, alongside the possible addition of solar pv panels to the roof of the building to provide reductions in carbon emissions and energy consumption reductions. Overall it is considered that the development complies with the requirements of Policy CS9 of the Core Strategy.

Air Quality

- 10.79. Paragraph 110 of the NPPF states that developments should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. The Existing Local Plan does not set specific standards for EV charging points within new developments, though on recent applications in non-residential developments, a figure of 10% is specified in the Sites and Housing Plan for residential developments under Policy HP16.
- 10.80. Policy M4 of the Emerging Local Plan specifies that a minimum of 25% of parking spaces should be served by EV charging points in non-residential developments. The applicants have proposed that 10% of all car parking spaces would be provided with electric vehicle charging points, with the ducting provided to enable additional spaces to be provided with charging points in the future when demand requires.
- 10.81. Given the limited weight attributed to the provisions of the Emerging Local Plan at the present time but equally accounting for future growth in the uptake of electric vehicles, officers consider that it would be reasonable to attach a condition requiring that at least 10% of the spaces are provided with EV charging points, alongside cabling to enable increased provision up to 25%.
- 10.82. The baseline assessment has shown that the air quality to the south of Oxford city centre is good at locations away from major roads. The annual mean NO₂ objective is not exceeded and concentrations have gradually been reducing over the five-year period 2013 to 2017. The 1-hour NO₂ objective is unlikely to be exceeded at the development site based on automatic monitoring at the urban background site and nearby diffusion tube data. The air quality objectives are achieved at the automatic urban background monitoring site and using Defra's modelled urban background data. On that basis, both current area and future occupants of the proposed development will be exposed to acceptable baseline levels of air quality and the site is deemed suitable for its proposed future use in this respect.
- 10.83. A detailed assessment of road traffic emissions associated with the operation of the proposed development has been undertaken and the impact of additional traffic on local air quality will be not significant.
- 10.84. The proposed energy centre will not use any gas-fired combustion plant and there will therefore be no emissions associated with the proposed energy centre. Energy demand will be met by electrically driven air source heat pumps (ASHP), which are emission free.
- 10.85. A qualitative assessment of the potential local air quality impacts associated with the construction phase activities has identified that the proposed development is considered to be a Medium Risk Site with respect to dust deposition and Low Risk with regard to changes to local PM₁₀ concentrations. However, through good site practice and the implementation of suitable mitigation measures (identified on the reviewed AQA), the effect of dust and PM₁₀ releases would be further reduced and the impact on air quality considered to be negligible. It is therefore mandatory that the outcomes of the

dust assessment, (which allowed the identification of site specific dust mitigation measures) are incorporated in the site's Construction Environmental Management Plan (CEMP) (This will be required by condition).

Trees

- 10.86. Policy NE15 of the Oxford Local Plan specifies 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.
- 10.87. The site contains a number of trees which are mainly concentrated within the eastern section of the site and have been planted to provide screening of the pumping station. It is proposed that the trees surrounding the pumping station would be removed. In design terms it is considered that it would not be practical to retain the trees shown to be removed and their loss will be mitigated through proposed planting.
- 10.88. The application includes an Arboricultural Method Statement which includes a Tree Protection Plan which would ensure that retained trees are not damaged during the construction phase of the development.
- 10.89. New planting proposed, combined with the presence of older, larger trees that are to be retained adjacent to the northern and southern boundaries of the site, will ensure that the removal of the proposed trees will not have a significant detrimental impact on public amenity in the area and the development would not conflict with Local Plan Policies CP1, CP11 and NE15.

Contamination

- 10.90. The application is accompanied by a geotechnical and geo-environmental desk top study report. This has been reviewed by the Council's Land Contamination Officer, it is considered that the risk of significant contamination being present on the site is low to moderate based on previous historical uses including potential deposition of made ground from railway construction and spreading of sewage sludge. Overall it is considered that the proposed development is acceptable in line with the requirements of Policy CS22 of the Core Strategy. A phased risk assessment is required by condition alongside a requirement to carry out approved remedial works prior to first use of the building.

Archaeology

- 10.91. The applicant's consultant archaeologist has confirmed that substantive engineering works were carried out on the site of Plot 16 in 1999 which resulted in the excavation of the site and removal of topsoil and peat deposits. Accounting for this, the Council's Archaeologist has confirmed that no further archaeological work is required in relation to this application.

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 the 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 the Framework taken as a whole
- 11.3. The proposals would deliver 19,823sqm of dedicated Class B1 employment space on land falling within and on the edge of the Oxford Science Park, a key protected employment site within Oxford. The proposals are considered to be highly beneficial in economic terms and would provide within the region of 1200 new jobs. The principle of development would be in line with the employment policies and site specific policies relating to development on the Oxford Science Park, as identified within the existing and draft local development framework and would constitute sustainable economic development in line with the provisions of the NPPF.
- 11.4. The proposed buildings are considered to be of an appropriate design and the scale of the buildings, although large would be broadly commensurate with the surrounding built form on the Science Park site which generally comprises large office buildings. The scale of the buildings is considered to be broadly justified in line with the functional requirements for this type of office space. The siting, location and scale of the development is considered to safeguard the amenity of existing residents within close proximity to the site.
- 11.5. The application includes parking provision for 540 parking spaces, in addition to 28 disabled parking bays. Whilst this provision is relatively high, it is nevertheless in line with the Council's maximum parking standards and given the peripheral location of the site this is considered justifiable. The policy requirements relating to the Science Park site, in addition to the wider provisions of the Existing Local Plan; Core Strategy and Sites and Housing Plan specify the requirement to achieve a modal shift away from private car use, towards more sustainable means of transport such as walking, cycling and use of public transport. The proposals provide an appropriate level of cycle parking provision and include access improvements to walking and cycling routes within the Science Park and improvements to the adjacent Minchery Lane.

11.6. Public transport access to the site is poor at present and there would be a requirement to improve the frequency and range of bus links to the site. The applicant has confirmed that he is in agreement with the County Council's requested financial contribution of £400,000, which would be put towards the delivery of a new bus service within the Eastern Arc linking the site with East Oxford and Headington. This contribution, which would be secured through a Section 106 legal agreement, would assist in achieving a modal shift in the uptake of public transport as a means of accessing the site. The proposed site layout would leave adequate space and is futureproofed to enable the potential delivery of a railway station to the north of the site should this come forward as anticipated as part of the reopening of the Cowley Branch Line.

11.7. For the reasons expressed within this report, it is recommended that the Committee resolve to grant planning permission for the development proposed subject to conditions and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

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

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

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

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

3. Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of above ground works 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. A Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. The approved CTMP shall be adhered to during the construction phase of development. The CTMP shall follow Oxfordshire County Council's template if possible. This should identify;

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),

- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Parking provision for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents.

The construction phase of development shall be carried out in accordance with the agreed details.

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.

5. Prior to first occupation a Full Travel Plan shall be submitted to and be approved in writing by the Local Planning Authority. This should then be updated within 6 months of first occupation.

Reason: To promote sustainable modes of transport.

6. A Car Park Management Plan shall be submitted for consideration and approval in writing of the Local Planning Authority prior to occupation. This shall set out the allocation of bays between the different uses of the development. The approved Car Park Management Plan shall be implemented upon first occupation and shall be adhered to in perpetuity.

Reason: In the interest of highway safety and to encourage sustainable transport use.

7. A street lighting design shall be submitted to and be approved in writing by the Local Planning Authority prior to occupation. The development shall be constructed in line with the approved plan.

Reason: To promote sustainable transport and improve movement in the area.

8. Prior to occupation details of a replacement vehicle restraint system along Public Right of Way 281/1/40 shall be submitted to and be approved in writing by the Local Planning Authority. The agreed vehicle restraint system shall be implemented prior to first occupation of the buildings and retained thereafter.

Reason: To allow ease of access to the development site by sustainable modes of transport.

9. No development shall take place until a Construction Environmental Management Plan (CEMP), containing the site specific dust mitigation measures identified for this development, has first been submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures that need to be included and adopted in the referred plan can be found in Table 11 (page 27) of the reviewed Air Quality Assessment that was submitted with this application (Air

Quality Assessment: Revision 2 – 19th July 2019). The measures in the approved CEMP shall be implemented during the construction phase of the development.

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

10. Prior to first occupation of the building's hereby approved, details of the Electric Vehicle charging infrastructure shall be submitted to and be approved in writing by the Local Planning Authority. The details shall include the following provision:

- The amount of electric car charging points to be installed prior to first occupation should cover at least 10% of the amount of non-allocated permitted parking of the development.

- Appropriate cable provision should also be installed to increase provision up to 25% electric charging points for increased EV demand in future years.

The electric vehicle infrastructure shall be formed, and laid out in accordance with these approved details before the development is first in operation 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 future planning policy M4 and enable the provision of low emission vehicle infrastructure.

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

Reason: To create a safe environment for existing and future occupiers which reduces opportunities for crime in accordance with Policies CP1 and CP9 of the Oxford Local Plan.

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

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

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

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

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

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

14. First occupation of the development shall not commence until written confirmation has been provided to the Local Planning Authority that all water network upgrades required to accommodate the additional flows from the development have been completed.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development

15. No development shall take place until a scheme for the provision and management of an 8 metre wide ecological buffer zone alongside the Littlemore Brook (measured from bank top) has been submitted to and approved in writing by the Local Planning Authority and in consultation with the Environment Agency. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the Local Planning Authority, in which case the development shall be carried out in accordance with the amended scheme. The scheme shall include:

- Plans showing the extent and layout of the buffer zone
- Details of any proposed planting scheme (all species should be native and of UK provenance)
- A detailed management plan demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management.
- Details of any proposed footpaths, fencing, lighting, information boards etc., including how people can access

Reason: To safeguard biodiversity and protected species in accordance with

Paragraphs 170 and 175 of the NPPF; Policy NE6 of the Oxford Local Plan and Policy CS12 of the Core Strategy.

16. No above ground works shall take place until a Landscape Management Plan (LMP), including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority and in consultation with the Environment Agency. The LMP shall be carried out as approved prior to first occupation of the buildings and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- detail extent and type of new planting (NB planting to be of native species);
- details of maintenance regimes;
- details of any new habitat created on site and how it will be protected;
- details of treatment of site boundaries and buffers around water bodies;
- details of paths, lighting and access for people for health and wellbeing;
- details of management responsibilities; and
- details of how the scheme will achieve ecological improvements and biodiversity net gain.

Reason: To ensure the landscape provides a maximum benefit to wildlife, people and the environment.

17. Noise emitted from use of the premises shall not exceed the following sound pressure levels, as measured 1 metre from the façade of the residential properties to the north on Minchery Road. as expressed as dBLAeq,T.

- Daytime – LAeq 1hour 37dB
- Night – Laeq 15 minutes 32 dB

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

18. Prior to the commencement of the development, other than that required to carry out a site investigation, a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved by the Local Planning Authority.

Phase 1 has been completed.

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 be approved in writing 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.

19. 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 been approved in writing 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.

20. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason- To ensure that any soil 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.

21. Prior to the commencement of above ground works, large scale details of the external façade shall be submitted to the Local Planning Authority, which should include details at 1:5 scale to show junctions between each of the different types of façade panels including solid/glazed panels; all edge details between soffit of overhangs and vertical face, at edge of building and outside surface, at openings/entrances into buildings, corners; and façades of basement/lower parking floors. The details as approved shall be implemented within the development.

Reason: In order to ensure that the finished appearance will demonstrate a suitably high quality design in accordance with Policy CS18 of the Oxford Core Strategy.

22. The development shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy, 13140-CRH-XX-XX-RP-C-0001, for Plot 16, The Oxford Science Park, Project Number: 13140, dated September 2019, by Campbell Reith Hill LLP and the following mitigation measures it details:

The use of Flood Resilient Construction proposed in Section 6.8 Fluvial Flooding, up to a level of 59.30m AOD.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. This condition is supported by Local Plan policy CS11 'Flooding' of the Oxford Core Strategy 2026 and paragraph 163 of the National Planning Policy Framework (NPPF).

23. The development shall not be occupied until details of a scheme of lighting plus the means to control excessive light spillage and glare from both internal and external light sources within the development has been submitted to and approved in writing by the Local Planning Authority and implemented on site. There shall be no variation to the approved details without the further prior written approval of the Local Planning Authority. The agreed details shall be implemented prior to first occupation of the development.

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

24. No works of site clearance or development shall proceed until an Ecological Mitigation, Compensation and Management Plan (EMCMP) has been submitted to, and approved in writing by, the Local Planning Authority. The plan will include the following:

- a) Detailed reptile mitigation strategy, including location of suitable receptor site (with all details of full site surveys provided), translocation protocols and long-term receptor site management (minimum 25 years).
- b) Details of pre-commencement badger surveys.
- c) Details of site clearance protocols.
- d) Protection measures of retained flora.
- e) Full details of new landscape planting of known benefit to wildlife, including native species of local provenance where practicable. Details of long-term management will be provided and a measurable net gain in biodiversity demonstrated.
- f) Provision of a lighting design strategy to ensure minimum disturbance to light-sensitive wildlife on and adjacent to the site.
- g) Locations and specifications of ecological enhancements, including bat and bird boxes, a minimum of 10 dedicated swift boxes and other features of value to wildlife, such as insect hotels, hedgehog domes and habitat piles.

Reason: The prevention of harm to species and habitats within and outside the site and enhancement of biodiversity in accordance with Core Policy

CS12: Biodiversity of the Core Strategy for Oxford City.

25. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones” including off-site receptors such as the Littlemore Brook.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) Working methods to protect fauna, as detailed in the ecological survey reports (including badger, otter, water vole, bats and nesting birds).
- e) The location and timing of sensitive works to avoid harm to biodiversity features.
- f) The times during construction when specialist ecologists need to be present on site to oversee works.
- g) Responsible persons and lines of communication.
- h) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person.
- i) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Core Policy CS12: Biodiversity of the Core Strategy for Oxford City.

13. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – Letter to ODRP

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.

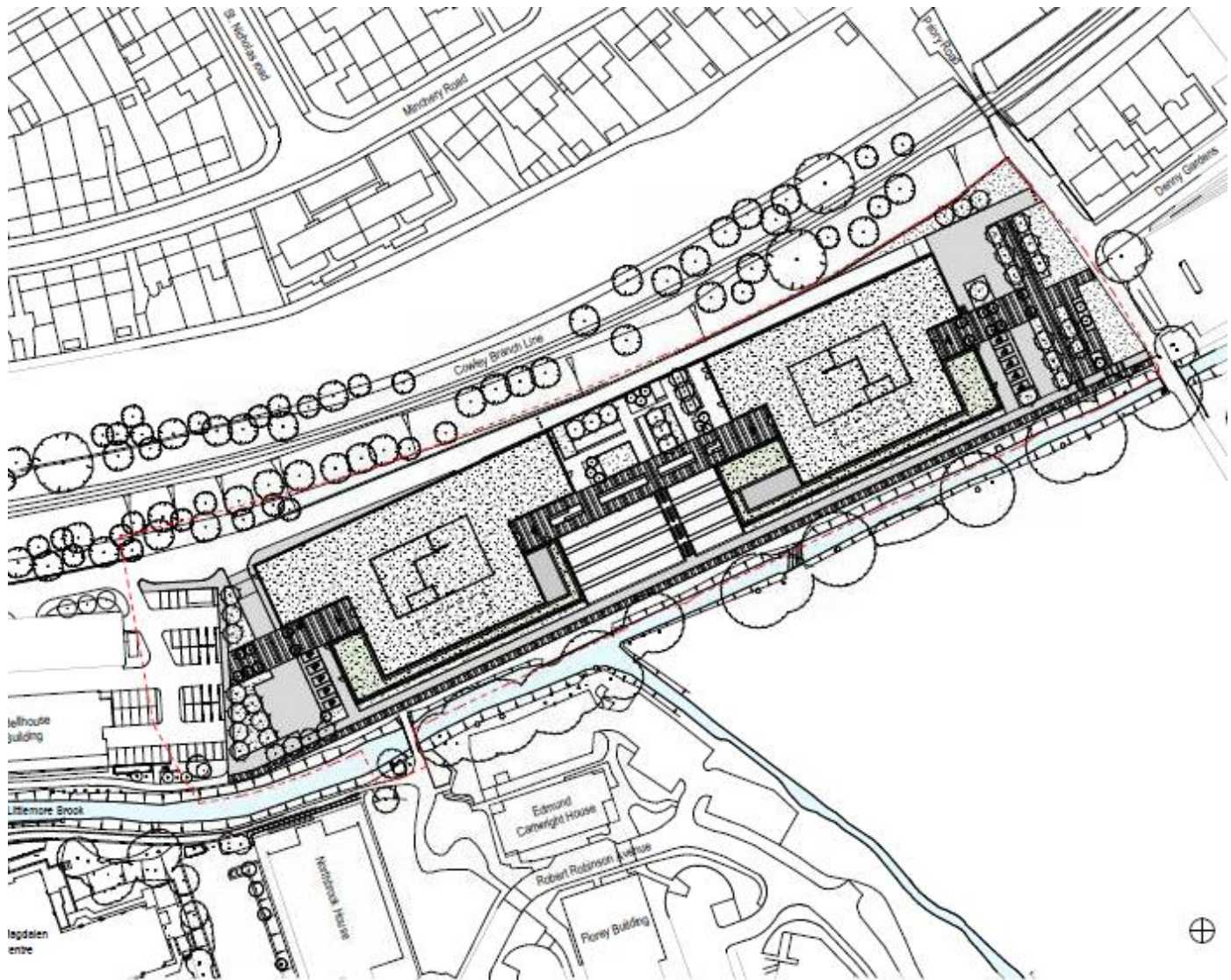
15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 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

19/02003/FUL – Proposed Site Plan



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Piers Scrimshaw-Wright
The Oxford Science Park
Robert Robinson Avenue
Oxford OX4 4GA
United Kingdom

30 May 2019

Our reference: DCC/1031

Oxford County Council: Plot 16, The Oxford Science Park

Dear Piers Scrimshaw Wright,

Thank you for providing the Oxford Design Review Panel with the opportunity to advise on this proposal at the Oxford Design Review Panel (ODRP) Review on 16 May 2019.

Context

The Oxford Science Park has been growing rapidly in response to demand for office and laboratory space in the city. Plot 16 has been identified as a suitable site to deliver additional office and laboratory space, along with significant public realm. The scheme presents an important opportunity for The Oxford Science Park to demonstrate its commitment to delivering an exciting and forward-thinking development that will attract a variety of small and growing businesses that are at the forefront of science, technology and research.

Sited on the edge of The Oxford Science Park, Plot 16 is located between Littlemore Brook, which is a wildlife corridor, to the south and a railway line and residential community to the north. The railway line is currently used for freight but there are plans to renew the Cowley Branch Line service, which was a passenger service. If this is realised, a station will be included immediately to the north of Plot 16. This will have a significant impact on this site and the ways in which people travel to The Oxford Science Park, should it be delivered.

Summary

We welcome the pride The Oxford Science Park clearly takes in its campus and the desire to create an innovative development on Plot 16 that can meet the requirements of its anticipated users. In order to achieve this aim, we advise that Plot 16 must be integrated into the Science Park as well as the wider area. It must also be designed to accommodate new uses and users as the wider area and user requirements evolve. We do not think that the design is successfully achieving these aims as yet. We note that The

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Oxford Science Park is working with a masterplan for the overall site that was developed many years ago, and that it has not been updated. We urge the Science Park to work with consultants to develop a revised masterplan as a priority. As part of this, we recommend that the project team take a step back and undertake research and analysis of who the site's anticipated users are, how they will use the site and what they need, in order to enhance their experience here. We suggest developing a strategy that maps users' movements and activities within Plot 16 and to the wider Science Park and the consequent hierarchy of spaces. This, along with an analysis of the wider area, will help to develop the site layout, as well as the height and massing of the buildings and, consequently, a scheme that works well for its users and the wider community. For example, we think that, if each of the four proposed building blocks were narrower, improved internal and external environments could be created by increasing daylighting within the buildings, increasing external views, and creating more generous pathways and coherent spaces.

We recognise that it is currently unclear if the Cowley Branch Line passenger service will resume in the future. However, we suggest the project team ensure that the site could accommodate a future train station, if it were to come forward. This should include provisions for a station and ancillary requirements such as servicing, bus stops, etc.

Programme

We are concerned that the timetable for the project is tight and the proposals presented do not provide sufficient detail for a detailed planning application in early June, as planned. We urge the project team to revise the programme to allow time for carrying out the recommendations outlined in this letter. This will enable them to deliver a place that better integrates into its context, while also working well for its users and the wider community.

Site layout

We think it is important that Plot 16 is integrated and connected to the rest of The Oxford Science Park, while also creating distinct and coherent spaces and routes within its own boundary. In the first instance, we advise that a new overall masterplan is required for The Oxford Science Park. This will help inform how Plot 16 fits in with the wider campus - physically, aesthetically and in its character.

Within the site boundary, we recommend that the role, hierarchy and characters of each individual spaces and routes within Plot 16 are identified and designed accordingly. For example, we are concerned by the tightness of the brook-side path and how busy it may become. Should the station be built here, this volume of use is likely to intensify and exacerbate the issue. Additionally, pedestrians and cyclists do not always mix well and a single path for both may not create a pleasurable user experience for either. As part of the masterplan strategy, we urge the team to research the volume of use of the proposed

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routes through the site as this will help decide their importance and, consequently, their character.

Currently, the central open space is the principal open space on the site. We think this does not reflect the way in which the wider area around the site is developing. For example, there are plans for residences to the east and, should the Cowley Branch Line station be realised, the open space to the east of Plot 16 will likely become the most significant public realm. Therefore, we recommend that a better façade to the east is considered and this space is designed, so that it can accommodate future changes and demand in the wider area of the development.

The open spaces proposed for Plot 16 do not complement the linear alignment of the elements that surround it, and the river and the rail line. We think this disrupts the coherence of the site and that further work is required on the hierarchy of spaces and to improve their relationship to their surroundings. We encourage the design team to continue to explore a layout that works best for the site in terms of coherence and supporting the user experience.

Overall, we think that the buildings could be narrower in their east-west orientation and the size of the open spaces could be revisited, to improve the quality of the internal and external spaces.

Landscape, movement and connectivity

We recommend that a landscape and visual impact assessment be undertaken.

Plot 16 has a rich natural environment, with the Littlemore Brook providing an attractive setting for the development. However, we are concerned that the proximity of the buildings to the brook, and a tight -- and possibly busy -- path along it, will compromise the wildlife corridor and the quality of the brook. We also recommend exploring how the height and lighting for the building/car park and path itself could impact the wildlife corridor. We think it is critical that the development's impact on the natural environment is thoroughly understood and every effort made to robustly protect it.

As mentioned above, we think the hierarchy of the routes within the site and connectivity to the surrounding area need to be resolved and recommend that a movement strategy is developed. For example, the existing bridge connecting Plot 16 to the wider Science Park is three-metre wide and we suggest that there is potential for it to be wider, as it is likely to be more heavily used when this development is completed. We also recommend considering how easy it is to find the bridge and that further clarity is required about where the bridge leads in both directions and whether it is a public route or not. Within the site, the circulation strategy appears complex and confusing and we recommend creating a hierarchy of movement that supports staff interaction.

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We think further clarity is needed on how the inside of the buildings relate to the external spaces and who these spaces are for. We recommend that this is addressed to ensure potential users feel welcome and that the external spaces are well-used.

Should a railway station be delivered here and used by fans attending football matches, we also recommend that their exit from the station is made via the east of the station only, rather than via the exit on the platform directly leading to Plot 16. We think the latter exit will work better if it is restricted to staff and visitors of The Oxford Science Park only.

We welcome the desire to create spaces with different characters but advise that they need to be planned in greater detail and made to work much harder. In the first instance, we recommend researching and understanding the demographics of potential users and the activities that will be encouraged and supported here. We suggest that this is critical information for the site's brief that will contribute to greater success. For example, if the aim is to attract or cater to SMEs and a younger demographic, they tend to be resistant to spaces with a more corporate feel. In regard to the design of open spaces, people often prefer when office windows do not directly overlook to spaces where they might linger in their break-time.

It is our view that the snaking paths across the central, open green space may compromise the experience of those individuals and groups sitting on the grass as the movement of people in-front and behind them will likely to make them feel exposed.

Regarding gender-based differences, women tend to prefer spaces that are more intimate and where they feel more protected. Additionally, the proposals are for a single, large, open space with solid walls, but we advise that busy and well-used open spaces tend to have the quality of an outdoor room with softer edges. Smaller and broken up spaces will contribute to creating this quality. The centre of open spaces does not tend to work well if the edges are not animated and programmed carefully. We recommend referring to Rachel Kaplan's work on the post-occupancy of pocket parks to inform the design's development.

We think that further clarity is required on the public and private spaces across the site and recommend that once uses are identified for each space it should be reflected in the design. This will instinctively facilitate their use. For example, the public cycle parking spaces might be better located outside, rather than inside the building, as the latter could lead to confusion about who is allowed to use it.

We advise that the tree and planting strategy should be cognisant of the prevalence of disease and specified products should be resilient to climate change.

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Architecture, height and massing

Further information is required regarding the scale and massing of the proposed buildings to better understand the impact of Plot 16 on the wider area. For example, we are concerned that the residences to the north of the site will be affected by the mass and height of the buildings, which we think may appear overdeveloped when viewed from that direction. In the absence of a landscape and impact assessment, it is currently difficult to judge this. We recommend that, with the help of a landscape and visual impact assessment, the design is developed in a way that allows for the site to integrate well into its surroundings.

We are concerned about the occupants' experience of using the buildings. While the surrounding environment and outlooks are attractive, the depth of the buildings means that there is no visual connection to the outdoors from a significant proportion of the internal space. An equal concern is the lack of daylight that will penetrate into these deep buildings. We advise that the user experience is vital to the success of the buildings and recommend that narrower buildings, with good external views, are likely to work better. While this may mean squeezing the central public space, we do not think this would be beneficial if the internal spaces are improved without compromising the quality of the open spaces. We encourage the design team to look at many recent built examples of similar developments that bring light and air into the depth of a development by introducing an atrium between linear blocks. Further, we encourage the team to explore ways in which the landscape and built form can be balanced to maximise the experience of both.

The elevations and fenestration should be driven by both internal use and external context. For example, we appreciate that the incorporation of laboratories, which tend to be introverted spaces, may influence the fenestration. However, we advise that the elevations facing the public space, specifically the one to the east if it were to become the primary space and include a café in the future, should be markedly different to the other façades. We also advise that the façade to the railway line and road may need to incorporate acoustic treatment in response to the possible noise pollution from cars and trains.

We think that the proposed materials for the buildings are appropriate.

Transport infrastructure and parking

We note the efforts The Oxford Science Park has made to promote sustainable transport to those travelling to this location, such as partnering with the Oxford Bus Company to support the PickMeUp bus service. However, we think the predominant method of travel to the site is likely to continue to be by car for the foreseeable future and, as a result, we acknowledge that Plot 16 will require a high amount of parking space. Should this



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requirement change, we recommend that the parking is designed to be flexible and to accommodate a use that could be of more value to the site and users in the future.

In addition to car use, we advise that there will still be those who travel using other modes of transport, such as walking, cycling and motorbikes. We recommend that vehicular pick up and drop off points should be designed to look and feel like public space that you drive over. We think that this will create a more democratic and higher-quality space while subtly encouraging and supporting alternative methods of travel to the site.

We are concerned about the road incorporated in the north of the site, as it appears to have the quality of an underpass access road. We think this is a route that requires considerable further thought and encourage the team to continue to work on the design that will provide an improved experience for users and not compromise the quality of this site as a whole.

Sustainability

In keeping with The Oxford Science Park's exemplary status, we think that it is possible for this project to achieve a BREAM rating of 'excellent', and we urge the project team to go beyond the Very Good status currently proposed.

We understand that some of the space may be used as laboratories and this, together with the possible noise issues from the north if the railway line is reintroduced, have led to a decision to have non-openable windows. However, we think that there is potential to have mixed-mode air-conditioning, with non-openable windows to the north, to allow for natural ventilation on the other façades. We appreciate this may involve a higher cost but encourage the project team to consider building this flexibility into the buildings. This will enhance the experience of the offices and increase sustainability credentials.

We advise that air source heat pumps are not as efficient as ground source ones and recommend that this is considered in the energy strategy.

Thank you for consulting us and please keep us informed of the progress of the scheme. If there is any point that requires clarification, please contact us.

Yours sincerely,

Sabina Mohideen
Design Council Cabe Advisor

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Tel: +44(0)20 7420 5234

Review process

Following a site visit, (and) discussions with the design team and local authority, the scheme was reviewed on 16 May 2019 by Jo van Heyningen (Chair), Paul Appleby, Maayan Ashkenazi, Jessica Bryne-Daniel, Martin Stockley and Nigel Wright. These comments supersede any views we may have expressed previously.

Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to dc.cabe@designcouncil.org.uk.

Attendees

Piers Scrimshaw-Wright	The Oxford Science Park
John Drew	Perkins+Will
Josemar Da Costa	Perkins+Will
David Blackwood-Murray	STUDIO DBM
Richard Knight	Hoare Lea
Emma Andrews	Savills UK
Michael Kemp	Oxford City Council
Gill Butter	Oxford City Council

Design Council

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Sabina Mohideen

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EAST AREA PLANNING COMMITTEE

4th December 2019

Application number:	18/02918/OUT		
Decision due by	3rd January 2019		
Extension of time	13 th December 2019		
Proposal	Outline application (seeking approval of access, appearance, layout and scale) for the erection of three storey building consisting of 6 x 2 bed flats (Use Class C3). Provision of private amenity space, car parking, cycle and waste storage as per approved 15/02245/OUT.		
Site address	17 Between Towns Road, Oxford, OX4 3LX, – see Appendix 1 for site plan		
Ward	Cowley Ward		
Case officer	Michael Kemp		
Agent:	Mr Sam Cook	Applicant:	Mr Mike Bott
Reason at Committee	Members resolved at the East Area Planning Committee held on 16 th January 2019 to approve planning permission for the proposed development subject to a legal agreement to provide an off-site financial contribution towards affordable housing. The Policy position in relation to the application of adopted Policy HP4 for decision making has been altered. Consequently an off-site financial contribution towards the provision of affordable housing is no longer required and therefore the application needs to be reported back to Committee.		

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

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

1.1.2. **agree to delegate authority** to the 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 Head of Planning Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

- 2.1. This report considers an outline planning application for the erection of a three storey building comprising 6x2 bedroom flats, associated amenity space, car and cycle parking. The proposals are a resubmission of a previously consented scheme which was approved in January 2016 (15/02245/OUT). The development is proposed on previously developed land to the rear of two small retail units fronting Between Towns Road in Cowley.
- 2.2. Members resolved at the East Area Planning Committee held on 16th January 2019 to grant planning permission for the proposed development subject to a legal agreement to provide an off-site financial contribution towards the provision of affordable housing, which would be secured through a legal agreement. This report is to be read in conjunction with the original report attached at **Appendix 2**. The matters and conclusions set out in the attached report relating to the principle of development and detailed matters (apart from Affordable Housing) remain valid.
- 2.3. The Policy position in relation to the application of adopted Policy HP4 for decision making has been altered following the receipt of an appeal decision at 4 Lime Walk and the conclusions of the Planning Inspectors examining draft policy H2(a)(ii) in the emerging Oxford Local Plan 2036.
- 2.4. Since the adoption of policy HP4, Government planning policy has evolved in respect of securing affordable housing (including off site contributions) from small residential developments. Relevant Government policy on when affordable housing contributions can be sought is set out in the National Planning Policy Framework 2019 (NPPF) (Paragraph 63) and specifies that:
- “Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)”*
- 2.5. Given the outcome of the Lime Walk appeal and the decision of the Inspectors on the soundness of policy H2(a)(ii) of the draft Oxford Local Plan 2036 and in light of legal advice, the Local Planning Authority can no longer reasonably continue to attach material weight to, and rely upon, policy HP4. This means that the Local Planning Authority would no longer seek affordable housing contributions when determining applications for planning permission for development on sites with capacity for between four and nine homes unless the site is greater than 0.5 hectare. The proposed development of six dwellings falls below the threshold whereby affordable housing provision should be sought in accordance with Paragraph 63 of the NPPF and for the reasons outlined in this report an off site contribution towards affordable housing provision should not be sought under this planning application.
- 2.6. Officers recommend that approval should be granted for the development subject to the specified conditions, but without the requirement to secure an off-site financial contribution towards affordable housing provision.

3. LEGAL AGREEMENT

3.1. For the reasons cited within this report this application would no longer be subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

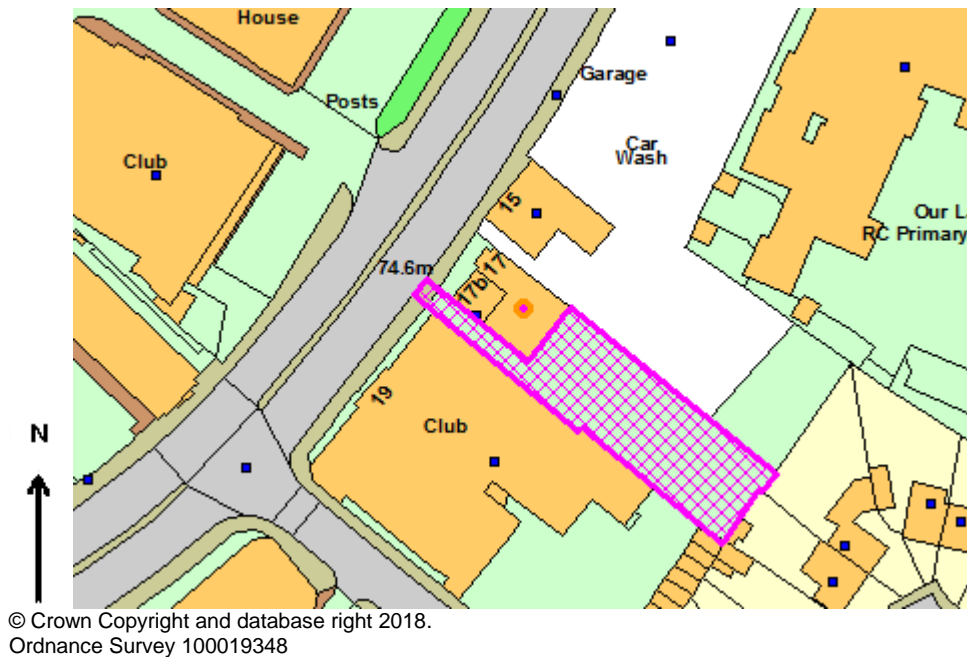
5. SITE AND SURROUNDINGS

5.1. The site is located within the Cowley Primary District Centre to the rear of No.17 Between Towns Road, which comprises two ground floor retail/commercial premises and residential accommodation above in the form of two flats, nos. 17A and 17C. Vehicular access is located to the south side of No.17 Between Towns Road. There is a mix of uses in the immediate area, though the area is principally characterised by commercial development, including retail, office and leisure uses. The site principally consists of a tarmacked car park serving the two retail/commercial units to the front of the site.

5.2. The surrounding area is characterised by buildings of varying scale and design. The frontage development at No.17 facing Between Towns Road consists of two storey buildings. The Conservative Club building to the south of the site is a dark brick building comprising single and two storey elements. Coleridge Close which lies to the south east of the site is characterised by suburban two storey semi-detached properties. Since the approval of planning application 15/02245/OUT, planning permission has been granted and implemented at the adjacent former Swan Motor Centre for a redevelopment comprising of 144 student bedrooms (16/01752/FUL). Buildings on this adjacent site vary between 4 and 5 storeys.

5.3. It should be noted that there is a current planning application under consideration on this site and the adjacent Conservative club site (19/02620/FUL) for a redevelopment of both sites to provide 221 student study rooms in a three, four and five storey building. Notwithstanding this application for the larger development of the site, this application for 6 apartments should be considered on its merits and in isolation to these proposals.

5.4. See site plan below:



6. PROPOSAL

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

7. RELEVANT PLANNING HISTORY

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

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

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Draft Local Plan
Design	12	CP1 CP6 CP8 CP10 CP11	CS18_		DH1
Conservation/ Heritage	16	HE2			DH4
Housing	5		CS24_ CS23_	HP2_ HP4_ HP9_ HP11_ HP12_ HP13_ HP14_	H1 H2 H4 H10 H14 H15 H16
Transport	9			HP15_ HP16_	M1 M2 M3 M4 M5
Environmental	15	CP21	CS10_ CS11_ CS12_		RE1 RE2 RE3 RE4
Miscellaneous		CP.13 CP.24 CP.25		MP1	

9. PLANNING MATERIAL CONSIDERATIONS

Affordable Housing

- 9.1. Members resolved at the East Area Planning Committee held on 16th January 2019 to approve planning permission subject to a legal agreement to provide an off-site financial contribution towards affordable housing elsewhere in Oxford. This report is to be read in conjunction with the original report attached at **Appendix 2**. The matters and conclusions set out in the attached report relating to the principle of development and the detailed matters (apart from Affordable Housing) remain valid and are unaffected by the change in policy position.
- 9.2. The Policy position in relation to the application of adopted Policy HP4 for decision making has been altered following the receipt of an appeal decision at 4 Lime Walk and the conclusions of the Planning Inspectors examining the draft policy H2(a)(ii) in the emerging Oxford Local Plan 2036.
- 9.3. The proposals relate to the provision of 6 dwellings. The adopted Sites and Housing Plan includes a policy that seeks affordable housing contributions from sites with capacity for 4 to 9 dwellings (HP4). Since the adoption of policy HP4, Government planning policy has evolved in respect of securing affordable housing (including off site contributions) from small residential developments. Relevant Government policy is now set out in the NPPF. At paragraph 63, the NPPF provides as follows:
- “Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer ...”*
- “Major development” is defined in the NPPF, in respect of housing development, as “... development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more”.
- 9.4. In accordance with the NPPF, when determining planning applications, the City Council is required to determine the weight to be attached to policy HP4. One factor required to be considered when determining weight to be attached to a development plan policy is the degree of consistency of that policy with the NPPF (NPPF para.213). Although the conflict is acknowledged, the City Council has, to date, been seeking to attach material weight to, and to rely upon, policy HP4, when determining applications for planning permission for residential development comprising less than 10 new homes and on sites of less than 0.5 ha. This has been on the basis that the acute need for affordable housing in Oxford and limited opportunities to meet this need due to significant constraints on land within the City meant that there were locally specific circumstances that meant HP4 should continue to attract material weight notwithstanding the conflict with national policy.
- 9.5. The City Council was also pursuing the retention of this policy approach in the draft Oxford Local Plan 2036 for a similar reason. Draft policy H2(a)(ii) of the submitted plan provides that an off-site affordable housing contribution should be provided from development proposals on sites of between four and nine new homes. The draft Oxford Local Plan 2036 is currently being examined by 2 Government appointed Planning Inspectors.

- 9.6. The issue of weight to be attached to policy HP4 was the key issue for determination in an appeal made against the refusal by the City Council of planning permission for development of six flats on land at 4 Lime Walk.
- 9.7. In his decision letter, the Inspector addressed the City Council's arguments and extensive evidence as to why, notwithstanding the conflict with the NPPF, weight should be attached to policy HP4 and, as such, a contribution towards off site affordable housing should be required from the development under consideration.
- 9.8. The Inspector rejected the City Council's case and held that there was insufficient justification for weight to be given to policy HP4 given the conflict with national planning policy and based on the evidence put forward with the appeal. In effect, the Lime Walk Inspector held that national policy should prevail in those circumstances.
- 9.9. The Lime Walk decision is one which, acting reasonably, as local planning authority we must take into account in future decisions where policy HP4 is engaged (see *North Wiltshire District Council v Secretary of State for the Environment* (1993) 65 P. & C.R. 137).
- 9.10. The soundness of that element of Policy H2(a)(ii) has been the subject of extensive correspondence between the City Council and the Inspectors as part of the Local Plan examination process. The City Council has put before the Inspectors a body of evidence to demonstrate why, due to the particular circumstances which prevail in Oxford and most particularly affordable housing need, policy HP2(a)(ii) is sound notwithstanding the conflict with the NPPF. The Inspectors, in their response to submission OCC.1.AB, have concluded that Policy H2(a)(ii) is not sound. Subject to final consultation on main modifications, the Inspectors have directed that the policy H2(a)(ii) should be deleted from the Plan.
- 9.11. Given the outcome of the Lime Walk appeal and the decision of the Inspectors on the soundness of policy H2(a)(ii) of the draft Oxford Local Plan 2036 and in light of legal advice, the Head of Planning advises that the Local Planning Authority can no longer reasonably continue to attach material weight to, and rely upon, policy HP4 in its decision making. This means that the Local Planning Authority would no longer seek affordable housing contributions when determining applications for planning permission for development on sites with capacity for between four and nine homes unless the site is greater than 0.5 hectare.
- 9.12. As the proposed development of six dwellings falls below the threshold whereby a contribution towards affordable housing can be sought in accordance with Paragraph 63 of the NPPF, officers would no longer require the applicants to enter into a Section 106 agreement to provide a financial contribution towards off-site affordable housing. Conditional approval is therefore recommended, without the requirement for a legal agreement.

10. CONCLUSION

- 10.1. 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.
- 10.2. 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 the 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 the Framework taken as a whole
- 10.3. The Policy position in relation to the application of adopted Policy HP4 and the requirement on behalf of the applicants to make a financial contribution towards the provision of off-site affordable housing has been altered following the receipt of the appeal decision at 4 Lime Walk and the conclusions of the Planning Inspectors examining the draft policy H2(a)(ii) in the emerging Oxford Local Plan 2036. In relation to the requirements of Paragraph 63 of the NPPF, the proposed development, which comprises 6 units, would fall below the 10 unit threshold, whereby an off-site financial contribution can be sought. Consequently an off-site financial contribution towards the provision of affordable housing elsewhere in the city would not be required.
- 10.4. For the reasons expressed in this report it is recommended that the Committee resolve to grant planning permission for the development subject to the conditions outlined below (which are the same conditions as Members resolved to grant permission pursuant to previously).

11. CONDITIONS

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

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

2. The development permitted shall be 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.

3. Subject to condition 6, 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.

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

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

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

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

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

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

7. Prior to the first occupation of the approved development, the secure, covered cycle store with space for a minimum of 12 cycles shall be completed in the

location as identified on the approved site plan (Drawing No. 1519.004-rev_A). The cycle store shall be retained for the sole use of providing storage for pedal cycles by the occupiers of the approved development unless agreed otherwise in writing by the Local Planning Authority.

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

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

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

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

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

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

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

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

development unless agreed otherwise in writing by the Local Planning Authority.

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

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

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

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

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

13. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority in writing. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Roman remains (Local Plan Policy H2)

14. 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.

The approved drainage scheme shall be implemented prior to first occupation of the development.

Reason: To ensure compliance with Oxford Core Strategy Policy CS11

15. A SuDS maintenance plan shall also be submitted to and approved by the Local Planning Authority in writing. The Sustainable Drainage (SuDS) Maintenance Plan shall be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDS maintenance plan shall 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.

The approved maintenance plan shall be implemented prior to first occupation of the development and the agreed details shall be carried out thereafter.

Reason: To ensure compliance with Oxford Core Strategy Policy CS11

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

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

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

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

12. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – Officer report to 16th January 2019 East Area Planning Committee.

13. HUMAN RIGHTS ACT 1998

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

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

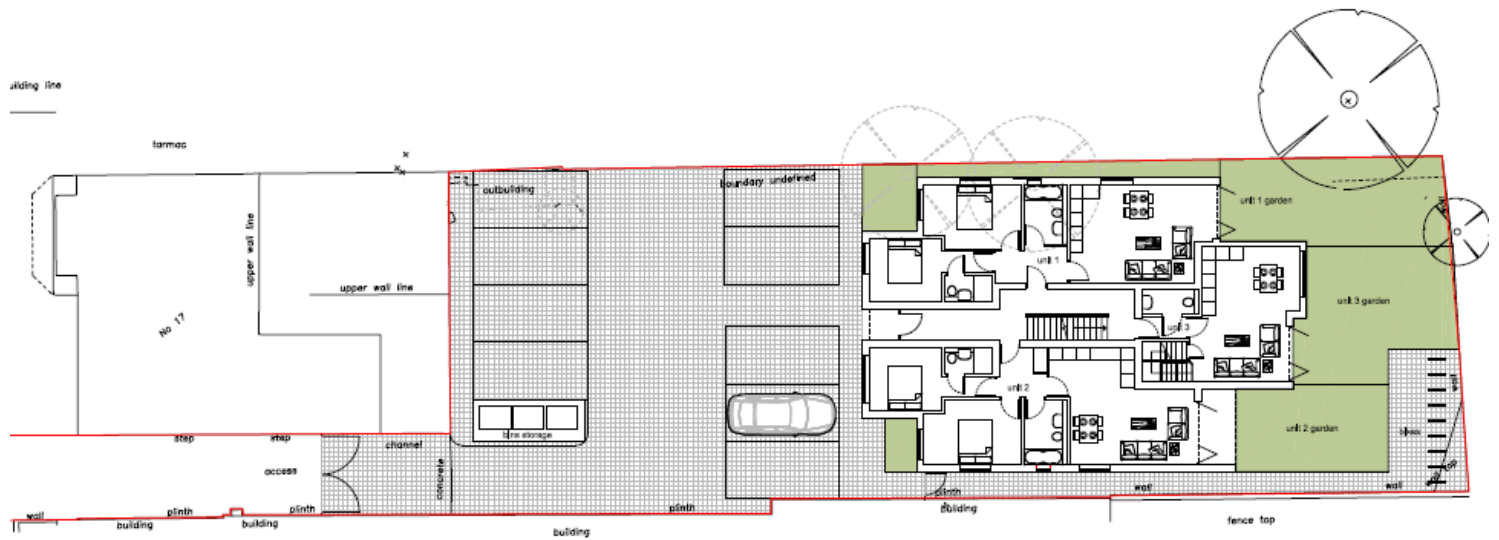
- 14.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission,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

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Appendix 1

18/02918/OUT – 17 Between Towns Road

Proposed Site Plan



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Appendix 2 – Committee report to East Area planning committee – 16th January 2019

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

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

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

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

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

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary; and
- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in

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

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

2. EXECUTIVE SUMMARY

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

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

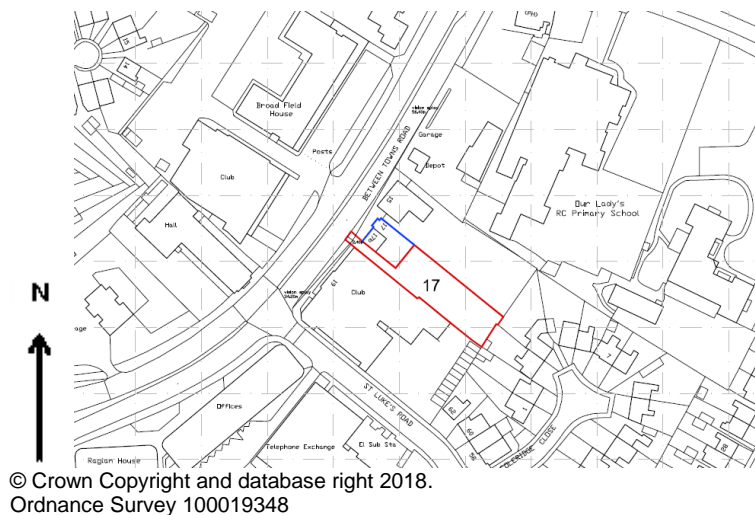
- 4.1. CIL payment would be liable at the time at which a reserved matters application is submitted.

5. SITE AND SURROUNDINGS

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

comprising of single and two storey elements. Coleridge Close which lies to the south east of the site is characterised by suburban two storey semi-detached properties. Since the approval of planning application 15/02245/OUT, planning permission has been granted at the adjacent former Swan Motor Centre for a redevelopment comprising of 144 student bedrooms (16/01752/FUL). Buildings on this adjacent site vary between 4 and 5 storeys and are presently under construction.

5.3. See site plan below:



6. PROPOSAL

6.1. Outline planning permission is sought with details provided for the access, appearance, layout and scale of the proposed development. Landscaping is a reserved matter.

6.2. The application proposes to erect a new building to contain six self-contained apartments over three floors. Two flats would be situated on each floor, with the ground floor flats having private outdoor gardens and upper floor flats having balconies or roof terraces. The building would be situated within the existing car parking area at the rear of 17 Between Towns Road and there would be a distance of approximately 10m from the rear elevation of the proposed building to the boundary with the gardens serving 3 and 4 Coleridge Close. The application is an identical resubmission of the previous proposals on the site, as approved under planning application 15/02245/OUT.

6.3. The proposed building would be 12m in width and 15m in depth. The overall height to the highest point of the flat roof would be 8m.

6.4. The proposed access to the site would utilise the existing access to the site which is to the south of no. 17 Between Towns Road. A shared car parking area is proposed in front of the proposed building and at the rear of No. 17 Between Towns Road; the parking area would provide eight spaces (with a space to be provided for each of the proposed flats as well as a space each for No's 17A and 17C Between Towns Road). There is no parking proposed to be retained for the retail/commercial units on the frontage.

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

7. RELEVANT PLANNING HISTORY

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

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

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

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

9. CONSULTATION RESPONSES

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

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. The proposal seeks to erect a three-storey building comprising 6 x 2-bed flats. The proposal gained planning permission in 2015 (ref 15/02245/OUT) but has subsequently expired, this application seeks to renew planning permission. The site is located in a very sustainable location, close to many local amenities and bus routes.
- 9.3. The proposal will provide 8 off-street parking bays; this is in line with Policy HP16 and is accepted. It is not clear that the cars can safely enter the site, turn and exit in a forward gear whilst other cars are simultaneously parked, a swept path analysis should be conditioned showing that this is possible.
- 9.4. Cycle parking is provided to the rear of the building, whilst the number is in line with Policy HP15 it is not clear that the cycle store is covered, if planning permission is granted a condition should be included showing the design of the cycle storage.
- 9.5. As the site is located within a sensitive area, a Construction Traffic Management Plan will be required; this should be conditioned if planning permission is granted.
- 9.6. Oxfordshire County Council does not object to this application on highway grounds.

Natural England

9.7. No comments

Oxford Civic Society

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

Public representations

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

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

- Access from Between Towns Road is too narrow for emergency vehicles.
- Visibility for cars exiting the site is inadequate.
- Insufficient parking is proposed.
- The development would overlook existing properties and would result in a

loss of privacy for existing occupiers.

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

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

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

a. Principle of development

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

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

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

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

10.5. Officers also consider that the existing under-used surface car park does not make good use of the land on the site; the increase in development within this area would therefore lead to a more efficient use of land. This approach is broadly supported by Policy CP6 of the Oxford Local Plan 2001-2016.

b. Affordable Housing

- 10.6. Sites and Housing Plan Policy HP4 states that residential development on sites with capacity for 4 to 9 dwellings, will only be granted where a financial contribution is secured towards affordable housing elsewhere in Oxford. The proposed development would therefore constitute a qualifying development under the terms of this policy.
- 10.7. The applicants have indicated that they would be prepared to make a financial contribution towards the provision of off-site affordable housing at the required policy level. This financial contribution would be secured through a Section 106 legal agreement. The proposals are therefore considered to comply with the provisions of Policy HP4 of the Sites and Housing Plan.

c. Balance of Dwellings

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

d. Design

- 10.9. The application site is a backland location and public views, particularly from Between Towns Road are limited. The building design has not altered from the previous consent granted in 2016. The building would be three storeys in height and would feature a flat roof, which limits the overall height of the building. Existing development in the area consists of buildings of varying scale. Whilst the proposed building would be larger in scale compared with the frontage buildings, however the flats would sit alongside the much larger scale development at the former Swan Motor Centre site. Officers consider that the scale of the development is appropriate within the context of the surrounding built form.
- 10.10. The massing and general design of the building is considered appropriate within the context of the surrounding built form which comprises of buildings of varying architectural character. The proposed use of the flat roof would limit the height of the building and although the flats would be three storeys, the ridge height of the building would be similar to that of the properties to the rear in Coleridge Close. The facades of the building would feature a variance of materials, which helps to break up the appearance of the building, as well as adding to the visual interest of the external elevations. It is considered that there is adequate separation between the proposed building and neighbouring buildings, including the adjacent student accommodation under construction at The Swan Motor Centre site.
- 10.11. Overall it is considered that the design of the proposal respects the character and appearance of the area and is compliant with policies CP1, CP6 and CP8 of

the Oxford Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan and the NPPF.

e. Residential Amenity

- 10.12. Officers would suggest that the siting of the proposed development has been considered in such a way that would minimise the impact of the development on neighbouring residential occupiers. The proposed flats would be situated approximately 25m from the rear wall of the flats on the frontage (No.s 17A and 17C Between Towns Road) and 10m from the private rear gardens to the rear of the site (No.s 3 and 4 Coleridge Close). Given the length of the rear gardens in Coleridge Close, there would be a distance of between 20-25m between the rear windows of the proposed development and the rear aspect of the properties in Coleridge Close. Officers consider that the separation between the proposed buildings and nearby residential dwellings means that the development is acceptable in terms of its impact on light and privacy and would not have an overbearing impact on the occupiers of those dwellings.
- 10.13. Since the approval of the previous development on the site in early 2016, the adjacent former Swan Motors Centre has been redeveloped for student accommodation. The adjacent student accommodation would not substantially overlook the application site, owing to the siting of the approved building and the position of the side facing windows on the south west facing elevation. It is considered that the proposed development would not have a comprising impact on the amenity of the student residences by reason of overlooking, owing to the location of facing windows in both the proposed flats and adjacent student residences.
- 10.14. The proposed flats would all have a good quantity of indoor space; each having an internal floor area of over 61m² which would meet the Council's planning policy for indoor space provision (HP12 of the Sites and Housing Plan). Further to this, Officers have assessed the quality of indoor environment that is proposed and this would meet the other requirements of the Council's policies for indoor space quality. There are windows on the side elevation as well as the front and rear elevations which would provide natural light within the flats as well as ventilation.
- 10.15. Officers have had regard to Policy HP2 of the Sites and Housing Plan that seeks to ensure that new developments meet the requirements of being accessible and adaptable homes. The upper floor flats would not benefit from a lift so would not be well suited to people with reduced mobility but the ground floor flats would be suitable for occupiers with those requirements. All of the flats have a simple internal layout that would give them the opportunity to provide adaptable accommodation. Officers have had regard to the circulation within the lobby and flats that is proposed in the submitted floor plans and consider this is acceptable in the context of Policy HP2 of the Sites and Housing Plan (2013).
- 10.16. In terms of outdoor space provision, the two ground floor flats would have private rear gardens that would provide good quality outdoor space for two-bedroom dwellings. The upper floor flats would all have balconies or roof terraces that would be acceptable in terms of providing functional and useful

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

f. Highways

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

normal permitted development rights relating to the erection of a gate in this location should be removed by condition.

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

g. Archaeology

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

h. Sustainability

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

i. Planning obligations

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

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

11. CONCLUSION

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

- 11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under

authority delegated to the Acting Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

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

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

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

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

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

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

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

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

5. Notwithstanding the approved site plans and plans identifying the parking area, the two car parking spaces in the north-western most corner of the shared parking area (and identified as being closest to the 'door to flat' as

shown on Drawing No. 1519_004 Rev A) shall be retained for the sole use of the occupiers of the flats known as 17A and 17C Between Towns Road unless agreed otherwise in writing by the Local Planning Authority.

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

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

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

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

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

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

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

Reason: The access area to the development would be too narrow to allow for a normal fire truck to access the site and it is therefore necessary to provide other means of ensuring that adequate measures are in place to protect the

occupiers of the development in the event of a fire. This condition is therefore necessary in order that the development conforms to functional requirements for new development as set out in Policy CP10 of the Oxford Local Plan 2001-2016.

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

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

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

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

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

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

12. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. All works shall be carried out and completed in accordance with the

approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Roman remains (Local Plan Policy H2)

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

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

I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with a 40% allowance for climate change.

II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.

III. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.

IV. Where sites have been previously developed, discharge rates should be at greenfield rates. Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the LPA. Consultation and agreement should also be sought with the sewerage undertaker where required.

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

Reason: To ensure compliance with Oxford Core Strategy Policy CS11

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

purpose of providing storage for refuse and recycling unless agreed otherwise in writing by the Local Planning Authority.

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

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

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

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

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

13. APPENDICES

- **Appendix 1 – Site location plan**

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In

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

EAST AREA PLANNING COMMITTEE

04.12.2019

Application number:	19/02577/FUL		
Decision due by	3rd December 2019		
Extension of time	TBA		
Proposal	Erection of 4 x 2 bed flats, 2 x 1 bed flats, 2 x 4 bed dwellinghouse, 1 x 3 bed dwellinghouse (Use Class C3) and associated external works. Provision of amenity space, car parking, bin and bicycle storage.		
Site address	Ashlar House Adjacent 2 , Glanville Road, Oxford, OX4 2DD – see Appendix 1 for site plan		
Ward	Cowley Marsh Ward		
Case officer	Hayley Jeffery		
Agent:	Mr Simon Sharp, JPPC	Applicant:	Cantay Estates Ltd
Reason at Committee	The proposal is in excess of 5 units		

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

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

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers the demolition of the existing building and replacement with nine new dwellings in two blocks with a total of 14 car parking spaces provided to the frontage and between the blocks. The front block will provide four two bed flats and two one bed flats, with the rear block providing two 3 bed houses and one 4 bed house, all with small gardens behind.

2.2. The planning history is a significant material consideration in the determination of this application. Permission was granted for a somewhat similar scheme in 2016

that would have provided 6 terraced houses in two blocks. Also the current scheme was considered previously under 17/03101/FUL by Committee on two occasions on 7th March 2018 and 3rd April 2019. On 7th March 2018 Committee resolved to grant planning permission subject to a S106 Agreement to secure a financial contribution towards off site affordable housing provision. On 3rd April 2019 the application was reported back to Committee as the applicants were no longer willing to enter into a S106 Agreement and thus the application was refused due to a lack of contribution towards off site affordable housing provision only. However as the position with regards to policy HP4 of the Sites and Housing Plan has changed, contributions towards off site affordable housing provision are no longer being sought. Therefore the scheme is recommended for approval without such a contribution and need for a S106 Agreement.

- 2.3. In all other respects, the proposed redevelopment is considered to secure an efficient use of previous developed land within a predominantly residential area and would facilitate the removal of a vacant, disused and semi-derelict former builder's yard. The overall layout, scale and design of the proposed buildings are sympathetic to the site and its surroundings whilst safeguarding the residential amenities of neighbouring properties. The proposed dwellings would provide good quality housing for future occupants in terms of internal and external spaces. The proposal is acceptable in highways terms, will be energy efficient and does not create any biodiversity, environmental or flooding impacts. The development therefore accords with the National Planning Policy Framework and policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016 and the Sites and Housing Plan 2011-2026.

3. LEGAL AGREEMENT

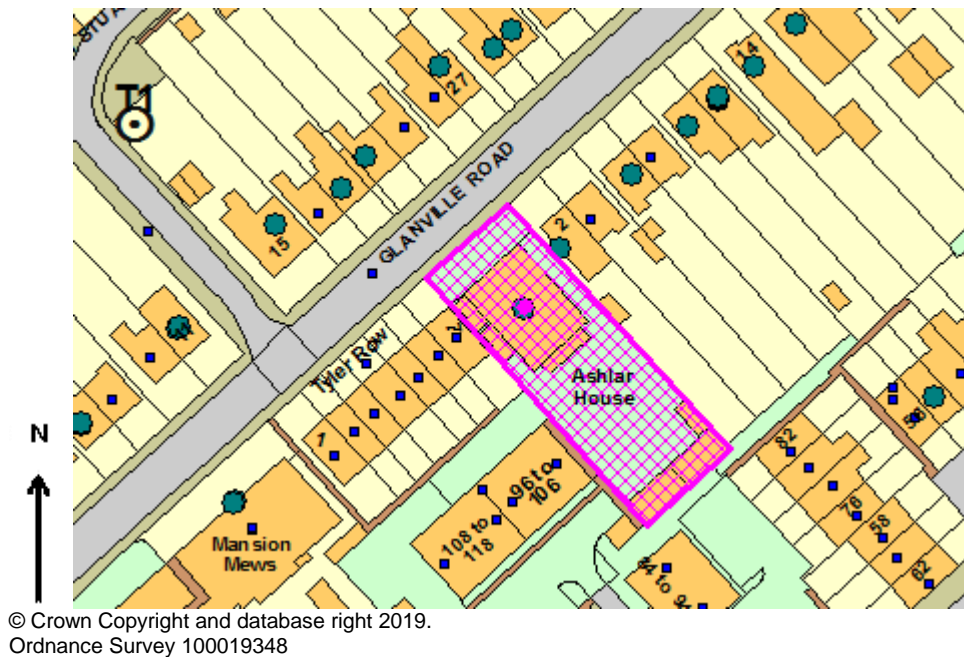
- 3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for a CIL payment of £143,627.66.

5. SITE AND SURROUNDINGS

- 5.1. The site is located within a residential area just off the Cowley Road. Whilst there were formally a variety of commercial uses in the area, most of these have now been replaced by housing and student accommodation. Indeed the application site previously contained a builders yard with a single storey, somewhat utilitarian building towards the front of the site, the rest of which was mainly open. However the use has ceased and the building demolished. All of the site is therefore open and devoid of built form.
- 5.2. Ashlar House, Glanville Road:



6. PROPOSAL

6.1. The application proposes the erection of nine new dwellings. The dwellings would be created as; a block of six flats with a frontage onto Glanville Road and one terrace of three dwellings to the rear, served off a new access, adjacent no.2 Glanville Road, along the line of the entrance used previously to access the storage area for the builder's yard.

6.2. The new dwellings proposed are all 2.5 storey in height, (11m to the ridge of the flats and 10m to the ridge of the proposed dwellings). All of the dwellings are designed to have their own garden space, with the flats provided with balconies or terraces to the rear. Parking is provided to the frontage and within a courtyard between the flats and the houses. There is also a temporary bin store to the frontage.

6.3. Permission was granted for a somewhat similar scheme in 2016 that would have provided 6 terraced houses in two blocks. Also the current scheme was considered previously under 17/03101/FUL by Committee on two occasions on 7th March 2018 and 3rd April 2019. On 7th March 2018 Committee resolved to grant planning permission subject to a S106 Agreement to secure a financial contribution towards off site affordable housing provision. On 3rd April 2019 the application was reported back to Committee as the applicants were no longer willing to enter into a S106 Agreement and thus the application was refused due to a lack of contribution towards off site affordable housing provision.

7. RELEVANT PLANNING HISTORY

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

08/02529/FUL - Change of use from Business use (class B1) to Education and Training (class D1).. Approved 26th January 2009.

09/01766/CND - Details of car and cycle parking submitted in compliance with conditions 2 and 3 of planning permission 08/02529/FUL.. Approved 8th September 2009.

14/02103/FUL - Demolition of existing builder's yard. Erection of 1 x 2 bed flat (use class C3), 2 x 3 bed flat (use class C3), 3 x 3 bed flat (use class C3), 3 x 3 bed house (use class C3). Provision of private amenity space, carparking, cycling and bins storage..Withdrawn 19th March 2015.

15/00955/FUL - Demolition of existing builder's yard. Erection of 3 x 3 bed dwellinghouse (Use Class C3) and 3 x4 bed dwellinghouse (Use Class C3). Provision of private amenity space, car parking, cycling and bins storage. (Amended plans 16/09/15). Approved 30th September 2016.

17/03101/FUL - Erection of 4 x 2 bed flats, 2 x 1 bed flats, 2 x 4 bed dwellinghouse, 1 x 3 bed dwellinghouse (Use Class C3) and associated external works. Provision of amenity space, car parking and bin/cycle stores.. Refused 11th April 2019 for the following reason :

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

This decision has been appealed against and currently pending.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents	Emerging Local Plan:
Design	12	CP6, CP8, CP11, HE9	CS18	HP9		
Conservation/ Heritage	N/A	N/A	N/A	N/A	N/A	N/A

Housing	5		CS23	HP2_, HP4_, HP12_, HP13_, HP14_,		HP2 in particular and HP1 H4 H10 H14 H15 H16
Commercial	6, 7		CS28			E1
Natural environment	15	CP11, CP17, CP18, NE14, NE15, NE21, NE23				GSP3
Social and community	8	CP13, CP14	CS19			ADD
Transport	9	TR1, TR2, TR3, TR4, TR13, TR14, TR15	CS13		Parking Standards SPD	TRP2, TRP3, TRP4
Environmental	14	CP10, CP22, CP23,	CS10, CS11	HP11, HP14	Energy Statement TAN	GSP2
Miscellaneous	4	CP.13 CP.24 CP.25				

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 25th October 2019 .

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. The proposals are in a sustainable location with good access to local amenities and public transport. The proposals are not located within a Controlled Parking Zone (CPZ). The proposals satisfy Policy HP15 by providing an amount of covered and secure cycle parking that satisfies the criteria laid out in the Sites and Housing Plan. The proposals were previously objected to by the highway authority on the grounds that the parking provision was inadequate as the property is not located within a CPZ (17/03101/FUL). The proposal has since provided an additional parking space meaning that the 3 houses have 2 allocated spaces each with the remaining 9 spaces unallocated and shared between 6 flats. This brings the unallocated parking provision to 1.5 spaces per flat, up from 1.33 per flat in the previous application. The new level of parking provision could be considered acceptable considering the proposals location and soon to be implemented Cowley Marsh CPZ. No objections subject to conditions in relation to removing eligibility for parking permits, visibility splays and small scale construction traffic management plan.

Land Quality/Contamination

9.3. Recommends conditions

Flood Mitigation Officer

9.4. Recommends condition if information not provided prior to determination

Public representations

9.5. One letter of objection has been received from an address in Glanville Road.

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

- Amount of development on site and in surrounding area – regard should be had to other developments on road and in area which has changed character of area, increased population and is not fair to existing homeowners.
- Effect on adjoining properties – will block sunlight from garden on summer evenings and will be noise, especially if rental properties
- Effect on privacy - will completely remove any privacy from garden of no. 4 and those of other immediate neighbours as will be overlooked in two directions.
- Height of proposal - Not reasonable to build three storey block of flats and three houses in what should be the back gardens.
- Overdevelopment. The site is the same depth as no. 4 but three times wider. Therefore the appropriate development would be 3 houses in line with the existing houses.

Officer response

9.7. This scheme has been considered previously and felt to be acceptable with a resolution to grant subject to a S106 Agreement to secure an off site contribution towards affordable housing provision. The application was only subsequently refused as the applicants were no longer willing to enter into such an agreement. Therefore subject to dealing with the affordable housing issue, it would be unreasonable to not accept the previous assessment in all other respects. There have been no significant change in circumstance on site to warrant reaching a different conclusion on detailed matters and an updated policy assessment will be provided where necessary below and particularly in respect of affordable housing which is the only matter that has changed. Nonetheless a detailed assessment on all points will be provided below.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Affordable Housing

- Mix of Housing
- Design
- Inside and outside space
- Impact on neighbouring amenity
- Transport
- Landscaping
- Flooding
- Sustainability
- Contaminated land
- Biodiveristy

a. Principle of development

10.2. The National Planning Policy Framework (NPPF) and Oxford Core Strategy Policy CS2 encourages the reuse/redevelopment of previously developed land. Redevelopment of this site would provide a useful 'windfall' of new housing development and therefore make a contribution towards meeting the Council's identified housing requirement.

10.3. When considering the redevelopment of former employment sites however, Policy CS28 of the Core Strategy makes clear that the loss of employment land will only be acceptable if either:

- the current or permitted employment use is or has a history of causing significant nuisance or environmental problems or;
- no suitable commercial occupiers have been found to enable an employment-generating use to continue and;
- the loss of jobs would not reduce the diversity and availability of job opportunities or the loss of small, start-up business premises available.

10.4. In terms of the emerging policy position, the site would fall to be classed as a category 3 employment site under policy E1 of the emerging local plan. This allows for the loss of employment floorspace subject to criteria. Firstly that the site or building is no longer suitable for its business use owing to its changing operational needs. Secondly that no other future occupiers can be found through the production of evidence to show the premises has been marketed unsuccessfully for 6 months for its present use and other modernisation and regeneration employment generating uses.

10.5. There is no record of the previous employment use of the site creating a significant nuisance or environmental problems in the area although use as a builders yard is not desirable or particularly compatible with residential uses. The applicant was therefore required to demonstrate that no suitable alternative employment use could be found for the property and the loss of jobs or premises would not be unacceptable under the previous application.

- 10.6. Evidence was submitted with the previous application which showed that the vacant builder's yard had been marketed for over two years without a suitable commercial occupant being secured. Many enquiries were received showing interest in redeveloping the property to residential use (as proposed by this application and the previous), along with other enquiries for a variety of commercial uses, including car workshop/servicing, taxi depot, scaffolding yard, car tyre sales, storage, pre-school nursery, youth club, gym etc. Some of those uses would not be considered suitable in what is now a predominantly residential location, because of the noise, traffic and nuisance they would have the potential to create. However, none of the more acceptable uses enquired about led to a firm proposal or offer.
- 10.7. It is also clear that the loss of the vacant builder's yard would not lead to a loss of existing jobs nor would it result in the loss of small business units. Even as a going concern the permitted use as a builders yard would have only provided a minimal number of jobs with such uses requiring sizeable areas for storage with job numbers being low.
- 10.8. In this context, the principle of demolition and residential redevelopment of the builder's yard is considered acceptable with regard to policy CS28 of the Core Strategy and this position was accepted previously. This is also consistent with policy E1 of the emerging local plan although noting that it only has limited weight at the present time.

b. Affordable Housing

- 10.9. Since the previous application was refused, the Policy position in relation to the application of adopted Policy HP4 for decision making has been altered following the receipt of an appeal decision at 4 Lime Walk and the conclusions of the Planning Inspectors examining the draft policy H2(a)(ii) in the emerging Oxford Local Plan 2036.
- 10.10. The proposals relate to the provision of 9 dwellings. The adopted Sites and Housing Plan includes a policy that seeks affordable housing contributions from sites with capacity for 4 to 9 dwellings (HP4). Since the adoption of policy HP4, Government planning policy has evolved in respect of securing affordable housing (including off site contributions) from small residential developments. Relevant Government policy is now set out in the National Planning Policy Framework 2019 ("NPPF"). At paragraph 63, the NPPF provides as follows:
- "Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer ..."*
- "Major development" is defined in the NPPF, in respect of housing development, as "... development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more".
- 10.10 In accordance with the NPPF, when determining planning applications, the City Council is required to determine the weight to be attached to policy HP4.

One factor required to be considered when determining weight to be attached to a development plan policy is the degree of consistency of that policy with the NPPF (see NPPF para.213). Although the conflict is acknowledged, the City Council has, to date, been seeking to attach material weight to, and to rely upon, policy HP4, when determining applications for planning permission for residential development comprising less than 10 new homes and on sites of less than 0.5 ha. This has been on the basis that the acute need for affordable housing in Oxford and limited opportunities to meet this need due to significant constraints on land within the City meant that there were locally specific circumstances that meant HP4 should continue to attract material weight notwithstanding the conflict with national policy.

- 10.11 The City Council was also pursuing the retention of this policy approach in the draft Oxford Local Plan 2036 for a similar reason. Draft policy H2(a)(ii) of the submitted plan provides that an off-site affordable housing contribution should be provided from development proposals on sites of between four and nine new homes. The draft Oxford Local Plan 2036 is currently being examined by 2 Government appointed Planning Inspectors.
- 10.12 The issue of weight to be attached to policy HP4 was the key issue for determination in an appeal made against the refusal by the City Council of planning permission for development of six flats on land at 4 Lime Walk.
- 10.13 In his decision letter, the Inspector addressed the City Council's arguments and extensive evidence as to why, notwithstanding the conflict with the NPPF, weight should be attached to policy HP4 and, as such, a contribution towards off site affordable housing should be required from the development under consideration.
- 10.14 The Inspector rejected the City Council's case and held that there was insufficient justification for weight to be given to policy HP4 given the conflict with national planning policy and based on the evidence put forward with the appeal. In effect, the Lime Walk Inspector held that national policy should prevail in those circumstances.
- 10.15 The Lime Walk decision is one which, acting reasonably, as local planning authority we must take into account in future decisions where policy HP4 is engaged (see *North Wiltshire District Council v Secretary of State for the Environment* (1993) 65 P. & C.R. 137).
- 10.16 The soundness of that element of Policy H2(a)(ii) has been the subject of extensive correspondence between the City Council and the Inspectors as part of the Local Plan examination process. The City Council has put before the Inspectors a body of evidence to demonstrate why, due to the particular circumstances which prevail in Oxford and most particularly affordable housing need, policy HP2(a)(ii) is sound notwithstanding the conflict with the NPPF. The Inspectors, in their response to submission OCC.1.AB, have concluded that Policy H2(a)(ii) is not sound. Subject to final consultation on main modifications, the Inspectors have directed that the policy H2(a)(ii) should be deleted from the Plan.

10.17 Given the outcome of the Lime Walk appeal and the decision of the Inspectors on the soundness of policy H2(a)(ii) of the draft Oxford Local Plan 2036 and in light of legal advice, the Head of Planning advises that the Local Planning Authority can no longer reasonably continue to attach material weight to, and rely upon, policy HP4 in its decision making. This means that the Local Planning Authority would no longer seek affordable housing contributions when determining applications for planning permission for development on sites with capacity for between four and nine homes unless the site is greater than 0.5 hectare.

10.18 As the proposed development of nine dwellings falls below the threshold whereby a contribution towards affordable housing can be sought in accordance with Paragraph 63 of the NPPF, officers would no longer require the applicants to enter into a Section 106 agreement to provide a financial contribution towards off-site affordable housing. Therefore as the previous application was only refused due to a lack of off site affordable housing contribution, conditional approval is therefore recommended, without the requirement for a legal agreement.

c. Mix of Housing

10.19 To be acceptable, the proposal must provide a mix of housing that complies with the mix prescribed for the East Oxford Neighbourhood Area, as identified within the Balance of Dwellings Supplementary Planning Document (BoDSPD).

10.20 The BoDSPD states that residential development of 4-9 units should seek to provide a significant proportion of any new homes proposed as 'family homes'. Although the proportion of one beds, two beds and four beds proposed are all acceptable, the new homes proposed in this case are family-sized 3 & 4-bed homes and in this context, the application only proposes two three bedroom homes, below the 45% minimum suggested by the BoDSPD. However this alone is not considered to be of sufficient concern to warrant refusal as the scheme as a whole is considered reflective of the mix of dwellings in the area and would provide a balanced scheme.

10.21 Furthermore Officers note that there is no loss of family dwellings proposed and that most of the current pressure on such properties is from their loss to become HMOs, a situation that is not controlled by the SPD. Indeed, comments have been received suggesting that the family homes currently proposed may be at risk of becoming rental properties and presumably HMOs themselves. It is though noted that the provision of a larger number of more modest homes may reduce the pressure for HMOs in the area and as such the provision should be supported.

d) Design

10.22 The NPPF considers that good design is a key aspect of sustainable development. This means that the level of development within any scheme should suit the site's capacity and respond appropriately and realistically to the site constraints and its surroundings. This is reflected in Oxford Local Plan

Policy CP6 which requires development to make the best use of the site's capacity in a manner compatible with the site itself and the surrounding area.

- 10.23 Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate a high-quality urban design that responds to the site and its surroundings; creates a strong sense of place; attractive public realm; and provide high quality architecture. Policy CP8 of the Oxford Local Plan 2001-2016 also states that the siting, massing, and design of development should create an appropriate visual relationship with the form, grain, scale, materials, and details of the surrounding area. This is supported by Sites and Housing Plan Policies HP9 and HP10.
- 10.24 The character and age of residential development in the area is mixed but includes some modern redevelopment.
- 10.25 The redevelopment of the former bus depot, immediately adjacent to the application site is predominantly a flatted development of three and four storeys. Part of that redevelopment includes frontage development onto Glanville Road of three storeys which at its ridge is higher than this scheme. In terms of height and scale therefore, the application would not look out of keeping with the locality or street scene. The inclusion of what would be considered as backland housing in the street is a little unusual, though the positioning of the rear block reflects the adjacent development in Reliance Way, and due to the depth of the site is considered to sit comfortably within its surroundings. It also represents an efficient use of the site.
- 10.26 In terms of style, the scheme proposes a sympathetic modern design which is interesting but also complements the original character of the street and what could be regarded as the more pastiche development style of the adjacent redevelopment of the former bus garage site station. The elevation which presents itself to Glanville Road, includes gabled dormers, to echo the more traditional detailing of adjacent properties, whilst flat-roofed dormers are proposed to elevations within the courtyard created to the rear.
- 10.27 A mixed palette of materials has been put forward to create further interest. The rear terrace is intended to be built in a combination of buff brick, rough-cast render and grey slate, with timber detailing, and the materials have been chosen to reflect similar materials used within the adjacent flatted scheme in Reliance Way. The front terrace however, is to be built in red brick, with a red/brown tile roof, to reflect the materials of properties fronting Glanville Road. The rough-cast render and timber detailing on both terraces will provide continuity of materials across the scheme. The design and materials are considered to be acceptable, and ensure that the development sits comfortably within the site and its surroundings. Overall the proposals are considered to accord with policy CP6 of the Oxford Local Plan, CS18 of the Core Strategy, Sites and Housing Plan Policies HP9 and HP10 and the NPPF.

e) **Inside and outside space**

- 10.28 Policy HP12 of the Sites and Housing Plan has now been updated by the Nationally Described Space Standard, which requires minimum spaces for dwellings dependant on their number of bed spaces and characteristics. The proposed dwellings are designed to provide an appropriate level of internal space (63sqm for the 1-beds, 66sqm for the 2-beds, 119sqm for the 3-bed and 130sqm for the 4-beds) and comply with the National Space Standards.
- 10.29 The proposals also provide satisfactory external amenity space with gardens to the houses of a similar size to the footprint and well-proportioned balconies / terraces to the flats and comply with this aspect of Policy HP13.
- 10.30 Policy HP13 also states that adequate provision needs to be made for safe and accessible refuse and recycling storage. The Waste Bin Storage and Access Requirements for New and Change of Use Developments Technical Advice Note (TAN) guides that residents should not be required to carry waste more than 30m to a collection point, whilst refuse vehicles should be able to get within 25m of the storage point. It also guides that bins should not have to be moved through a dwelling and that where appropriate, appropriately sized and designed bin storage should be provided.
- 10.31 To ensure that the scheme complies with the TAN, the application proposes covered bin storage facilities to the front of each dwelling and a bin collection point along the new access where bins can be collected and left on collection days from the rear plots. Overall it is considered that the proposals comply with policies HP12 and HP13 of the Sites and Housing Plan.

f) Impact upon neighbouring amenity

- 10.32 To be acceptable, new development must demonstrate that it can be developed in a manner that will safeguard the residential amenities of the adjoining properties in terms of loss of amenity, light, outlook, sense of enclosure, and loss of privacy in accordance with Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan.
- 10.33 In terms of noise and disturbance, officers' judge that reuse of the premises as a builder's yard would have the potential to create a greater level of noise and activity than that from residential use, particularly when taking account of the potential for vans and trucks to be loaded with materials from the rear of the yard. The current scheme does provide parking for 10 parking spaces within the site and the resultant vehicle movements will have some impact on adjacent occupiers, but given the current legal use of the site, this is likely to be less intrusive than the potential use as a builders yard and is not considered to have an unacceptable impact on the amenity of neighbouring occupiers.
- 10.34 In terms of overlooking and privacy issues, the relationship between the new development and no.2 Glanville Road is considered acceptable subject to existing boundary walls being retained and appropriate tree planting/landscaping and fencing. The flats to the front are offset from the boundary by the proposed access and the dwellings to the rear are a sufficient distance so as to not cause interlooking of habitable rooms or unduly overlook

the main private amenity area to the rear of no. 2.

10.35 There will be some loss of light to side facing windows at the adjoining properties, however these windows do not appear to be the primary source of light to principle habitable rooms and in any event, the effect will be similar to that of the scheme approved in 2016.

10.36 The relationship and distance between the two new buildings being created is also considered to be sufficient to maintain privacy and avoid overlooking between them. Officers note that the proposal indicates that the distance between the main walls will be 20m, although it is noted that the bay windows to the rear building and the balcony/terraces to the flats at the front will fall within this 20m distance. Comments have been received stating that this distance will not be achievable but having checked the plans, officers consider that there is sufficient space on site to provide this 20m distance. It should also be remembered that this is a rear to front relationship as opposed to a rear to rear relationship where the 20m would be expected.

10.37 All other properties are considered a sufficient distance away so as not to be directly impacted upon. Overall the proposals are considered to accord with policies CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan.

g) Transport

Transport Sustainability

10.38 There are 14 car parking spaces proposed, which equates to 2 allocated spaces for each of the houses and 1 space for each of the flats, although the intention is that the parking for the flats be unallocated, to allow for visitor parking.

10.39 Officers consider that this is an appropriate number of spaces, but that it would be more appropriate to provide one allocated space for each dwelling, allowing three unallocated spaces, to include visitor parking. This would discourage potential family occupiers from being over-reliant on use of the private car and recognises the sustainability of this location and its convenience to local facilities, the city centre and bus services and could if necessary be secured by condition.

10.40 To fully comply with Policy HP16, there is also a need to provide at least one allocated car parking space as a disabled space, with greater width of 3.3m. No compliant disabled space is proposed, however the Local Highway Authority has not objected on this basis. Officers note that if the number of spaces were to be reduced or some of the landscaping removed, a disabled space could be provided and if the proposal were to be otherwise acceptable, this could be secured as a condition of planning permission. The proposals in parking terms and subject to the necessary conditions are considered to comply with policy HP16 of the Sites and Housing Plan.

Cycle Parking

- 10.41 In terms of cycle parking, Policy HP15 requires that a total of 21 cycle parking spaces are provided. The application proposes a secure cycle store to the central courtyard with 24 spaces. The proposal therefore complies with Policy HP15.

Refuse, Delivery and Servicing Arrangements

- 10.42 The Local Highway Authority previously expressed concerns of refuse vehicles needing to enter the site. However this will not be necessary, as a temporary bin store is provided to the front of the site for bins to be placed in for collection day, and then returned to a more convenient position for the occupants for the rest of the week. The Highway Authority have raised no objection to the current scheme.

i. Landscaping

- 10.43 The existing site has no landscaping and redevelopment presents an opportunity to provide new landscaping both within the street scene along Glanville Road and to the rear of the site. The application proposes new hedgerow and shrub planting along the access and along the frontage of the development. There is also the opportunity to plant several new trees to the rear, strategically planted to soften the development and restrict direct views between the development and neighbouring gardens. It will be important that these trees are properly managed and retained in the long term. The precise location and species of trees and shrubs to be planted can be dealt with by condition and accord with policy CP1 and CP10 of the Oxford Local Plan.

ii. Flooding

- 10.44 Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk and expects all developments to incorporate sustainable drainage systems or techniques to limit or reduce surface water run-off.

- 10.45 The development will add to the level of non-porous surfaces on the site, resulting in an increased level of rain water run-off. However the increase is relatively modest and subject to a condition to ensure the development is carried out in accordance with the principles of Sustainable urban Drainage Systems, the proposals will not result in an unacceptable risk of flooding and comply with Policy CS11 of the Core Strategy.

iii. Sustainability

- 10.46 The application makes clear that the development is designed to make best use of previously developed land. The applicant also makes clear that the development is designed to accord with the most up to date building regulations to reduce energy and water consumption (with solar panels being proposed to the flats) and where possible, will be built using materials from

sustainable sources.

10.47 The levels of car parking proposed are designed to discourage potential occupiers from being over-reliant on use of the private car and recognise the convenience of this location to local facilities and bus services into the city centre etc. The proposals are therefore considered acceptable in sustainability terms and accord with the NPPF in that regard.

iv. Contaminated Land

10.48 The information submitted with the application does not reveal any contamination however; the site is a former builder's yard and has been in commercial/industrial use since the 1930s. It is also immediately adjacent the former bus depot that was found to be contaminated during redevelopment and remediation was required. In this context and given that the development involves the creation of new residential dwellings, a sensitive use, it is considered prudent that any permission is conditioned to require site investigations and agreement to appropriate remediation, should any contamination be found during the course of development in accordance with policy CP22 of the Oxford Local Plan and the NPPF.

v. Biodiversity

10.49 There are no protected species impacted by this proposal. However, in line with recognised good practice and governmental policy on biodiversity and sustainability (NPPF & NERC 2006), all practical opportunities should be taken to harmonise built development with the needs of wildlife. The NPPF seeks to provide a net enhancement to biodiversity through sustainable development and Policy CS12 of the Oxford Core Strategy 2026 states: Opportunities will be taken (including through planning conditions or obligations to): ensure the inclusion of features beneficial to biodiversity within new developments throughout Oxford.

10.50 Certain bat and bird species are urban biodiversity priority species almost entirely dependent on exploiting human habitation for roosting. In this context, an appropriate provision for this development might include; bat roosting tubes and bird boxes should reasonably be provided as part of the completed development. This can be dealt with by condition in accordance with policy CS12 of the Core Strategy and the NPPF.

11 CONCLUSION

11.11 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.

11.12 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 the 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 the Framework taken as a whole

11.13 An identical scheme has previously been considered by Members and only refused due to the lack of an off site affordable housing contribution. The Policy position in relation to the application of adopted Policy HP4 and the requirement on behalf of the applicants to make a financial contribution towards the provision of off-site affordable housing has been altered following the receipt of the appeal decision at 4 Lime Walk and the conclusions of the Planning Inspectors examining the draft policy H2(a)(ii) in the emerging Oxford Local Plan 2036. In relation to the requirements of Paragraph 63 of the NPPF, the proposed development, which comprises 9 units, would fall below the 10 unit threshold, whereby an off-site financial contribution can be sought. Consequently an off-site financial contribution towards the provision of affordable housing elsewhere in the city would not be required.

11.14 The application is acceptable in all of other respects and concluded on the identical scheme. As such the principle of development, mix of dwellings, impact on amenity and all other technical matters are acceptable as set out above.

11.15 For the reasons expressed in this report 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 Samples of the exterior materials to be used shall be submitted to and approved in writing by the Local Planning Authority before the start of above ground works on 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 A landscape plan shall be submitted to and approved in writing by the Local Planning Authority before development above ground starts. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

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

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

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

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

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

- 7 The sight lines shown on the approved plans shall be provided free of all obstructions which exceed the height of the adjacent carriageway by more than 1.0 metre before the approved development comes into use and shall be maintained to the satisfaction of the Local Planning Authority thereafter.

Reason: To provide and maintain adequate visibility in the interests of highway safety in accordance with policies CP1, CP9 and CP10 of the Adopted Oxford Local Plan 2001-2016.

- 8 Before the development permitted is commenced above ground, details of the cycle parking and bin storage areas, including means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking and bin storage 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 and storage of bins only.

Reason: To promote the use of cycles thereby reducing congestion on adjacent roads in accordance with policies CP1 and CP1 of the Adopted Oxford Local Plan 2001-2016, HP13 and HP15 of the Sites and Housing Plan 2011-2026.

- 9 Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice. Each phase shall be submitted in writing and approved by the Local Planning Authority (LPA).

A Phase 1 has already been undertaken and has identified the potential for contamination to exist on the site. A phase 2 shall be undertaken and 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 scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use be submitted and approved in writing by the LPA. The remediation shall be carried out in accordance with the approved scheme and the applicant shall provide written verification to that effect.

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 in writing to the satisfaction of LPA.

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

- 10 Prior to the commencement of any development above ground works, details of biodiversity enhancement of 1 integrated bat tube and 1 bird box to be incorporated into each building shall first be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved integrated bat enhancement scheme, which shall have been installed prior to the first occupation of the development and retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of improving biodiversity in accordance with Policy CS12 of the Oxford Core Strategy 2016 and Saved policy NE23 of the Oxford Local Plan 2001-2026

- 11 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. The development shall only be undertaken in accordance with the approved details.

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. The SuDS Maintenance Plan shall be adhered to throughout the lifetime of the development or unless otherwise agreed in writing by the LPA.

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

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

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

13 APPENDICES

- **Appendix 1 – Block plan**

14 HUMAN RIGHTS ACT 1998

- 14.11 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

- 15.11 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 – Block Plan for 19/02577/FUL



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EAST AREA PLANNING COMMITTEE

04.12.2019

Application number:	19/01871/CT3		
Decision due by	13th September 2019		
Extension of time	12 th December 2019		
Proposal	Erection of single storey rear extension.		
Site address	18 Lambourn Road, Oxford, Oxfordshire, OX4 4GN – see Appendix 1 for site plan		
Ward	Rose Hill And Iffley Ward		
Case officer	Sarah Chesshyre		
Agent:	Mr James Cookson	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 Head of Planning Services to:

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

2. EXECUTIVE SUMMARY

2.1. This report considers the erection of a single storey extension to the rear of the existing dwelling.

2.2. 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 the neighbouring properties and is considered to comply with CP1, CP6, CP8, CP10 and CP13 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.

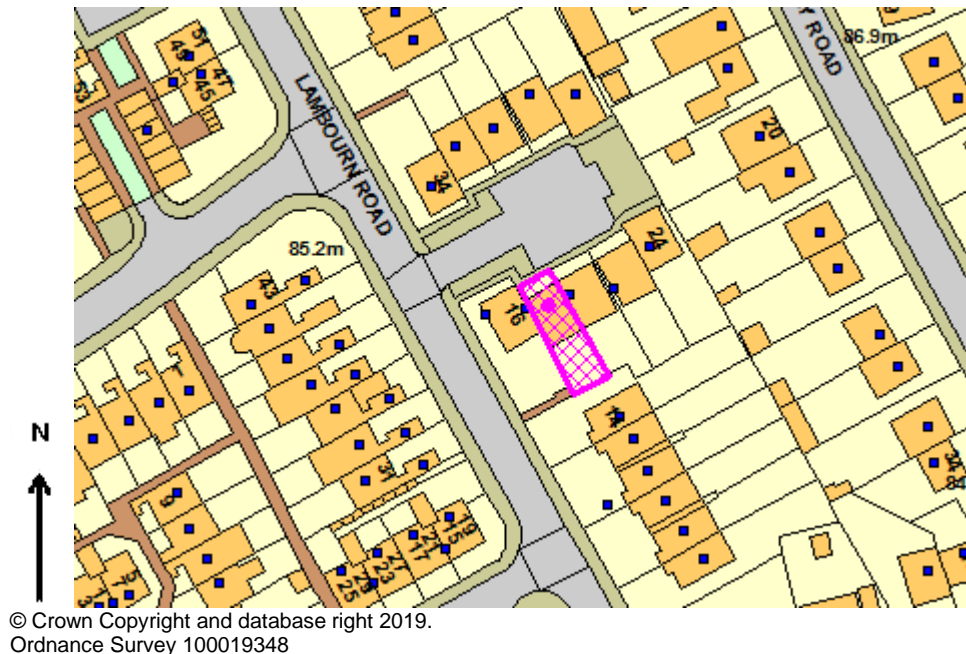
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located within the Rose Hill and Iffley ward of Oxford to the south east of the city centre. The property is a 1.5 storey mid terrace dwelling with a modest rear garden.

5.2. See location plan below:



6. PROPOSAL

6.1. The application proposes the erection of a single storey rear extension to the existing dwelling. The extension would extend beyond the existing rear elevation of the dwelling by 2.025 metres and would have a width of 6.2 metres, to occupy the full width of the plot. The extension would have a hipped roof with an eaves height of 2.5 metres and a ridge height of 4.1 metres. The extension would be finished in brick to match the existing dwelling with concrete tiles to match the existing roof. The extension would provide an additional bedroom and an additional accessible bathroom which is required to meet the specific personal needs of the applicant.

6.2. Officers note that the originally submitted plans proposed an extension with a greater depth. Officers expressed concern about the impact of the proposals on the amenity of adjoining neighbours, and subsequently the extension was reduced in depth to the minimum size that was required to meet the needs of the applicant. It was not considered necessary to re-advertise the application as the changes represented a reduction in what was proposed.

7. RELEVANT PLANNING HISTORY

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

09/01499/CT3 - Demolition of existing bungalows. Erection of 38 units of affordable accommodation made up of 18 houses (16 x 3 bed, 2 x 5 bed), 10 flats (6 x 1 bed, 4 x 2 bed) and 10 x 2 bed chalet bungalows. Provision of 56 car parking spaces, cycle and bin stores and ancillary works. APPROVED 16th September 2009.

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	Neighbourhood Plans:
Design	Paras 117, 118, 122, 127	CP1 Development Proposals CP6 Efficient Use of Land & Density CP8 Designing Development to Relate to its Context CP10 Siting Development to Meet Functional Needs	CS18 Urban design, townscape, character, historic environment,	HP9 Design, Character and Context	DH1 High quality design and placemaking
Environmental				HP14 Privacy and Daylight	H14 Privacy, daylight and sunlight
Miscellaneous	Paras 38, 47	CP13 Accessibility			

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 24th July 2019 and an advertisement was published in The Oxford Times newspaper on 25th July 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

a. Design

10.2. Policy CS18 of the Core Strategy, HP9 of the Sites and Housing Plan and policies CP1 and CP8 of the Oxford Local Plan combine to require that planning permission will only be granted for development which shows a high standard of design that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development and creates an appropriate visual relationship with the form of the existing building and its surroundings. Policy DH1 of the emerging Oxford Local Plan 2036 states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness.

10.3. The existing dwelling is situated within a small close of terraced dwellings that were built in the early 2000s. The dwellings are modest in scale and form, and to date have not been added to or altered. Nonetheless, in the wider area of Lambourn Road and further afield a large number of properties have been extended by the addition of single storey extensions. The proposed extension is modest in scale, being 2 metres in depth, and would appear a subservient and proportionate addition to the existing dwelling. The hipped roof form would integrate well with the existing dwelling and would form an acceptable relationship with the dwelling and surrounding properties. The fenestration and proposed materials would also form an acceptable relationship with the existing dwelling and with adjoining buildings.

10.4. Due to the orientation of the dwelling in relation to Lambourn Road, the extension would be clearly visible from the street. However, having regard to its modest scale, its form, and the materials proposed, it is considered that it would not appear an overly prominent addition that would integrate well with the dwelling and the terrace in which it sits.

10.5. The proposals are considered a suitable addition to the existing dwelling and to the street scene, and would not result in any harm to the character or appearance of the surrounding area. The proposed development would comply with policies CS18 of the Core Strategy, HP9 of the Sites and Housing Plan and CP1 and CP8 of the Oxford Local Plan, as well as DH1 of the emerging Local Plan 2036, noting that it carries only limited weight at this time and the NPPF.

b. Impact on neighbouring amenity

- 10.6. Policy HP14 of the Sites and Housing Plan states that planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes. HP14 also states that planning permission will not be granted for any development that has an overbearing effect on existing homes. These requirements are carried through into the emerging Oxford Local Plan 2036 as policy H14.
- 10.7. The application site is situated between 16 and 20 Lambourn Road and adjacent to 14 Lambourn Road to the rear. The proposed extension would be adjacent to the side elevation of 14 Lambourn Road, which does not benefit from any windows, and therefore the development would not result in any loss of light, impact of overbearing or loss of privacy to no.14.
- 10.8. The proposed extension contravenes the 45 degree line when applied to the closest windows in the rear elevations of each of the adjoining properties at 16 and 20 Lambourn Road. The extension also contravenes this line slightly when the 25 degree uplift is applied.
- 10.9. The impact to 20 Lambourn Road would be limited in terms of loss of light and overbearing, as the extension would project beyond the rear elevation of no.20 by only 2 metres. Furthermore, the window in the rear elevation of no.20 that is adjacent to the extension serves an open plan kitchen-living room which benefits from a further window in the front elevation of the dwelling. Therefore, having regard to the modest depth of the extension and the relatively modest eaves height, it is considered that any loss of light to 20 Lambourn Road would be limited and would not be harmful to the amenity of occupiers of no.20. It is also considered that the proposed extension would not have an overbearing impact on the garden or dwelling given the limited depth, and would not be harmful to the outlook of the dwelling.
- 10.10. The window in the rear elevation of 16 Lambourn Road adjacent to the proposed extension serves a ground floor bedroom. The rear elevation of 18 Lambourn Road already projects beyond the rear elevation of no.16 by 2.8 metres, and so the existing arrangement would already cause some loss of light and overbearing impact to the bedroom window and the garden at no.16. The addition of the extension would exacerbate this impact slightly, resulting in some loss of light, particularly in the first half of the day. Having regard to the existing situation, and to the modest depth of the proposed extension, officers consider that the proposed development would not result in a loss of light to the bedroom window that would be unacceptably detrimental to the amenity of occupiers. The rear garden serving 16 Lambourn Road is bounded by the street to the south west, and to the south east is adjacent to the front garden of 14 Lambourn Road. As a result, the garden benefits from a substantial degree of openness to the south east and south west. Therefore, while the proposed extension would result in some impact of overbearing to the garden of no.16 and some loss of outlook to the ground floor rear bedroom, having regard to the existing sense of openness and the orientation of the garden it is considered that any impact of overbearing or loss of outlook would not be unacceptably detrimental to the amenity of occupiers at 16 Lambourn Road.

- 10.11. The proposed extension is at single storey only, and would not have any windows in the side elevations, and therefore would not result in any loss of privacy or impact of overlooking to neighbouring properties.
- 10.12. While the proposed extension would cause some limited harm to the amenity of neighbouring residential properties, officers have had regard to the mitigating factors detailed above and on balance consider that the impact to amenity would be minor and not unacceptably harmful. The proposed development is considered acceptable in terms of its impact on amenity and compliant with policy HP14 of the Sites and Housing Plan and H14 of the emerging Oxford Local Plan 2036, noting that it carries only 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 and NPPF. The proposals would not result in an unacceptable degree of 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. 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.

- 4 All Impermeable areas of the proposed development, including roofs, driveways, and patio areas shall 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 shall 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 shall 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 shall be carried out in accordance with Approved Document H of the Building Regulations.

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

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

13. INFORMATIVES

- 1 The applicant is advised that the Oxford City Council SuDS Design Guide can be found at www.oxford.gov.uk/floodriskforplanning

14. APPENDICES

- **Appendix 1 – Block 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.

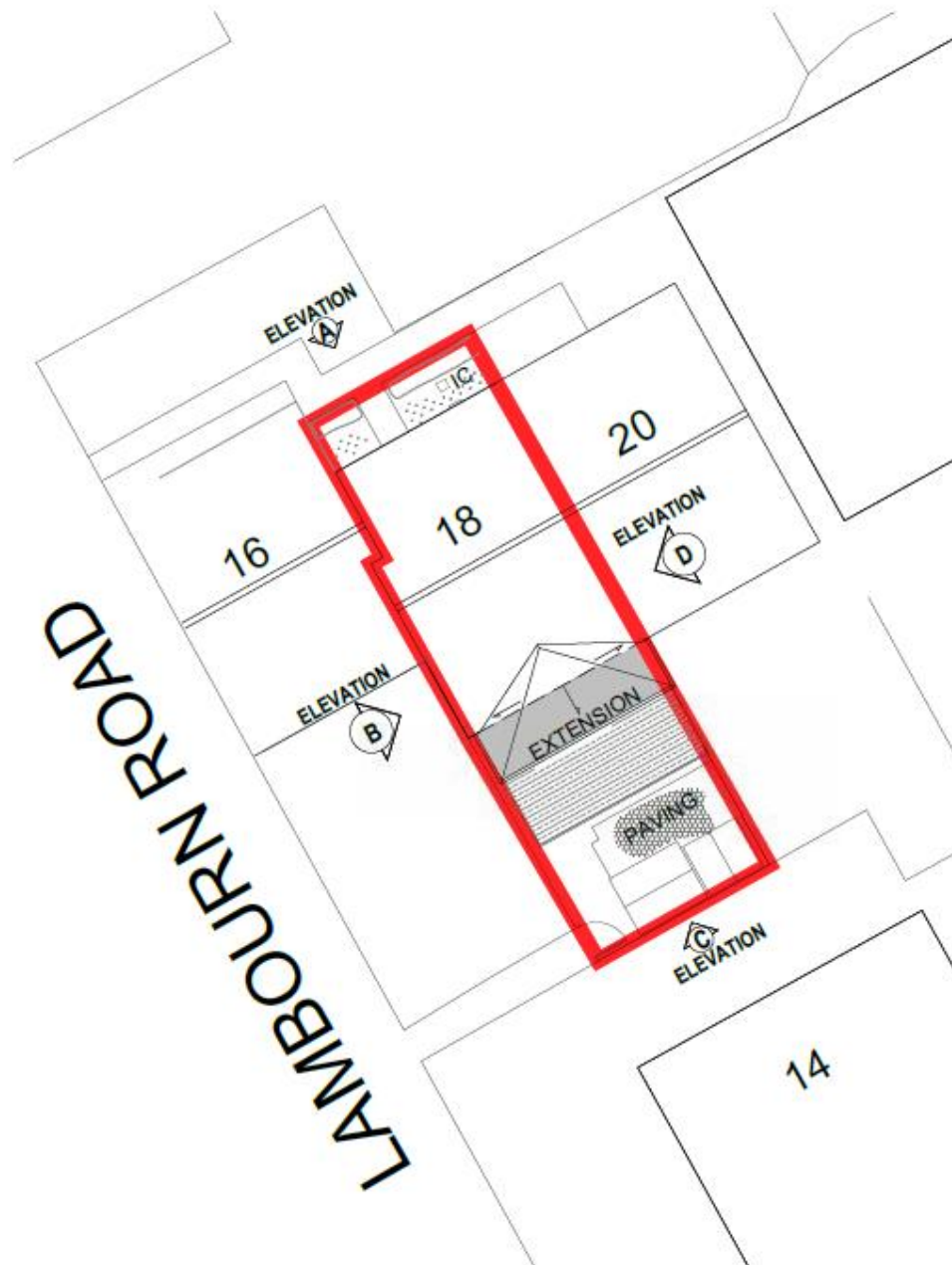
16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 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.

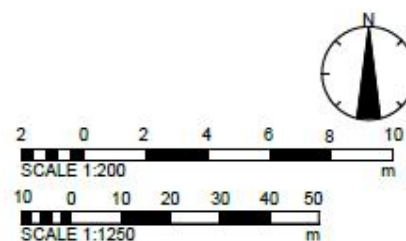
Appendix 1

19/01871/CT3 – 18 Lambourn Road

Proposed block plan



PROPOSED BLOCK PLAN
SCALE 1:200



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EAST AREA PLANNING COMMITTEE

04.12.2019

Application number:	19/02210/CT3		
Decision due by	12th November 2019		
Extension of time	To Be Agreed		
Proposal	Erection of 2no. sheds and 5no. bin stores.		
Site address	Site Of 1 To 7, Birchfield Close, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Northfield Brook Ward		
Case officer	Alice Watkins		
Agent:	N/A	Applicant:	Mrs Susan Briscoe
Reason at Committee	The application is made on behalf of 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 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 Head of Planning Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers the erection of 5no. bin stores and 2no. sheds.

2.2. The development is considered to be appropriately designed and would not have a detrimental impact on neighbouring properties. Overall, the development is considered acceptable in accordance with the identified policies and approval is recommended.

3. LEGAL AGREEMENT

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

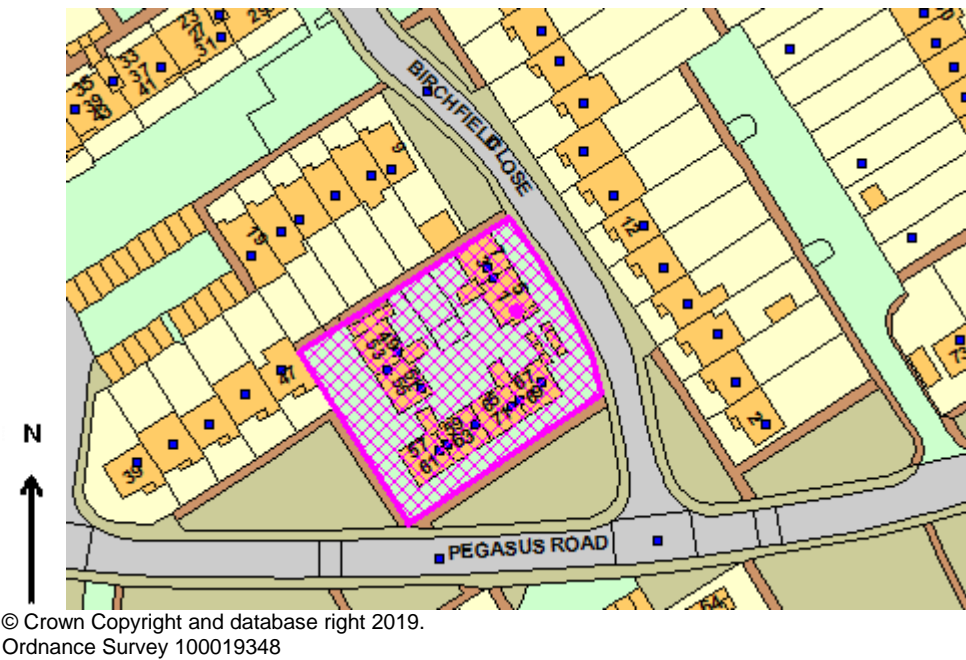
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. 1 to 7 Birchfield Close comprises of a two storey building and provides 4no. flats. It lies to the west side of Birchfield Close within the Blackbird Leys area of Oxford. The building is finished with buff brick. The flats are accessed through a central communal courtyard area, with the entrance door on the western side.

5.2. See block plan below:



6. PROPOSAL

6.1. The application seeks planning permission for the erection of 5no. bin stores and 2no. sheds to serve the existing flats. The proposed sheds feature a flat sloping roof with a maximum height of 2.13m. The sheds feature a single door to the front elevation. The proposed bin stores are to be sited to the southern side of the block forming 1-7 Birchfield Close. The stores feature a sloping roof with a maximum height of 1.84m. One smaller store is to be provided which has a sloping roof with a maximum height of 1.49m.

7. RELEVANT PLANNING HISTORY

7.1. None

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
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12	12	CP1 Development Proposals CP6 Efficient Use of Land & Density CP8 Designing Development to Relate to its Context CP10 Siting Development to Meet Functional Needs	CS18 Urban design, townscape, character,histo ric environment,	HP9 Design, Character and Context	DH1
Housing	8			HP14 Privacy and Daylight	H14

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 1st October 2019 and an advertisement was published in The Oxford Times newspaper on 26th September 2019.

Statutory and non-statutory consultees

9.2. There are no statutory consultees.

Public representations

9.3. No public representations were received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design
- Neighbouring amenity

a. Design

10.2. The proposal seeks full planning permission for the erection of 5no. bin stores and 2no. sheds. Two existing sheds at the site are to be demolished under Permitted Development and Officers are satisfied that planning permission is not required for the demolition.

- 10.3. The proposed works are required as part of the redevelopment of the communal area which has been targeted by vandals and which due to the position of the existing bin stores, suffers from odours as the garden is entered.
- 10.4. The proposed bin stores are to be sited to the southern elevation of the block forming 1-7 Birchfield Close. Whilst the stores will be easily visible from the public realm, it is considered that the development will not detract from the character and appearance of the area due to the single storey height, small scale and being 4.5m set back from the highway.
- 10.5. The proposed sheds are to be sited within the existing courtyard area, to the north east of the existing sheds. The proposed sheds given their positioning within the courtyard will not be visible from the public realm. The sheds are to be finished with a wood-effect wall and are small in scale. The proposed materials are considered acceptable and will relate appropriately to the wider surrounding area.
- 10.6. The development is considered acceptable in design terms and will not detract from the character and appearance of the area. As such, the development is considered to comply with CP1, CP8 and CP10 of the Local Plan, DH1 of the Emerging Local Plan, HP9 of the Sites and Housing Plan, CS18 of the Core Strategy and the NPPF.

b. Neighbouring Amenity

- 10.7. The proposed bin stores are to be provided to the southern elevation of the existing block. There are no windows serving the flats within this elevation and as such, the bin stores will not impact on the light or outlook afforded to the flats and nor will there be any impact of overbearing.
- 10.8. The proposed sheds will be located 5.3m from the front elevation of the ground floor flats. Due to the single storey height of the sheds and separation distance, it is considered that the development will not detrimentally impact the light or outlook afforded to the ground floor flats and nor will there be any impact of overbearing.
- 10.9. All other properties are a sufficient distance from the site so as to not be directly impacted by the proposals.
- 10.10. In terms of the existing sheds providing storage for the existing residents, the proposed sheds will be slighter bigger than the existing sheds so the amenities and facilities available for the existing occupants will not be affected. As set out above, the proposals are part of a wider redevelopment programme of the communal area which will be a significant benefit and improvement for existing residents and address issues with vandalism.
- 10.11. The development is considered to comply with HP14 of the Sites and Housing Plan, H14 of the Emerging Plan and the NPPF.

11. CONCLUSION

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development proposals which accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the 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 the Framework taken as a whole.
- 11.3. The proposed development is considered acceptable in design terms; it will not detract from the character and appearance of the area and the bin stores will not read as a prominent addition in the streetscene. The development will not detrimentally impact the light or outlook afforded to the surrounding residential properties or have any other impacts in amenity terms. Overall, the development is considered acceptable in accordance with the identified planning policies and in accordance with the NPPF.
- 11.4. It is recommended that the Committee resolve to grant planning permission for the development subject to the conditions below.

12. CONDITIONS

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

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.
- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.
- 3 The materials to be used in the development hereby approved shall be as set out in the application. There shall be no variation of these conditions without the prior written consent of the Local Planning Authority.

Reason: To ensure satisfactory visual appearance in the interests of the character and appearance of the area and in accordance with CP1, CP8 and CP10 of the Local Plan and HP9 of the Sites and Housing Plan.

INFORMATIVES :-

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

13. APPENDICES

- **Appendix 1 – Site location plan**

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Minutes of a meeting of the EAST AREA PLANNING COMMITTEE on Wednesday 6 November 2019



Committee members:

Councillor Taylor (Chair)	Councillor Tanner (Vice-Chair)
Councillor Chapman	Councillor Clarkson
Councillor Garden	Councillor Hollingsworth (for Councillor Aziz)
Councillor Lloyd-Shogbesan	Councillor Simm
Councillor Roz Smith	

Officers:

Sally Fleming, Planning Lawyer
Hayley Jeffery, Development Management Team Leader
Mike Kemp, Senior Planning Officer
Andrew Murdoch, Development Management Service Manager
Sarah Orchard, Senior Planner
Jennifer Thompson, Committee and Members Services Officer

Apologies:

Councillor Aziz sent apologies. Councillor Hollingsworth substituted for her.

45. Declarations of interest

Minute 48 - 19/01038/FUL and Minute 49 - 19/01039/FUL

Councillor Hollingsworth said that the University Health Trust (the site owner) was listed on his register of interests but there was no connection between the interest and these applications. He would therefore take part in the debates on these items.

Minute 50 – 19/01225/RES

Councillor Clarkson said that she knew one of the people who would be involved in this proposal. She considered that this connection did not prevent her from participating in the item and that she was approaching the application with an open mind.

Minute 51 - 19/02123/FUL

Councillors Tanner, Clarkson and Simm stated that although they were signatories to the call-in of this application they were approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

46. 18/03330/OUT: Sports Field William Morris Close Oxford OX4 2SF

The Committee considered an application for outline planning permission for a development comprising 86 residential units (a mixture of private, socially rented and intermediate units) together with public and private amenity space, access, bin and cycle storage and car parking (with landscaping subject to reserved matters submission) at the Sports Field, William Morris Close, Oxford OX4 2SF.

County Councillor John Sanders, City Councillors Saj Malik and Lubna Arshad, and local residents Judith Harley and Caroline Dod all spoke against the application.

Simon Sharp, Tony Nolan and James Dole (representing the applicant) came to the table to answer questions from the committee in support of the application.

The County Council highways officer was in attendance to answer questions relating to traffic and trip modelling and the highways authority's comments.

The Committee asked questions of the officers, the applicant's representatives, and the County Council highways officer.

On being proposed, seconded, and put to the vote the Committee agreed to approve the application and accept the officer's recommendations.

East Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the 30 required planning conditions set out in section 12 of the report, and **grant outline planning permission** subject to:

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

2. **delegate** authority to the 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 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 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 Head of Planning Services considers reasonably necessary; and
- complete the section 106 legal agreement referred to above and in the report and issue the planning permission.

47. 18/02401/OUT: The Bungalow, Garsington Road, Oxford, OX4 6NQ

The Committee considered an application for outline planning permission (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, 257 sq. m of B1 office space and associated car parking, cycle parking, bin stores and landscaping (amended plans) at The Bungalow, Garsington Road, Oxford, OX4 6NQ.

Members had resolved at the East Area Planning Committee held on 3 July 2019 to approve planning permission for this proposed development subject to a legal agreement to provide an off-site financial contribution towards affordable housing. Subsequently the policy position in relation to the application of adopted Policy HP4 for decision making was altered. Consequently an off-site financial contribution towards the provision of affordable housing was no longer required and therefore the application was reported back to Committee for determination with a recommendation that removed the requirement for the legal agreement.

On being proposed, seconded, and put to the vote the Committee agreed to approve the application and accept the officer's recommendations.

East Area Planning Committee resolved to:

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

48. 19/01038/FUL: Ivy Lane, Osler Road, Oxford, OX3 9DT

The Committee considered an application for permission for the demolition of the existing buildings; phased construction of key worker housing comprising 56 cluster units, 21 x 1 bed studio apartments, 48 flats (17x1 bed, 31 x 2 beds), a management office and associated works including parking and landscaping (additional/revised information) at Ivy Lane, Osler Road, Oxford, OX3 9DT.

Henry Venners, Jim Smith and Andrew Carter (representing the applicant) spoke in support of the application.

The Committee asked questions of the officers and the applicant's representatives. On being proposed, seconded, and put to the vote the Committee agreed to approve the application and accept the officer's recommendations.

The Committee also requested that local members be consulted on the construction routes in the construction travel management plan.

East Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the 26 required planning conditions and 3 informatives set out in section 12 of the report and grant planning permission subject to:
 - the satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the set out in the report and;
2. **delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions and informatives as set out in the report including such refinements, amendments, additions and/or deletions as the 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 the report, including refining, adding to, amending and/or deleting the obligations detailed 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 Head of Planning Services considers reasonably necessary and;
 - complete the section 106 legal agreement referred to above and issue the planning permission.

49. 19/01039/FUL: Site Adjacent Randolph Court, Churchill Drive, Oxford

The Committee considered an application for permission for the demolition of the existing buildings and construction of key worker housing (19 cluster units) and associated works (additional/revised information) on a site adjacent to Randolph Court, Churchill Drive, Oxford.

The Planning Officer corrected paragraph 3.1 of the report as the requirement for a financial contribution towards monitoring of a travel plan was not required in this case.

Henry Venners, Jim Smith and Andrew Carter (representing the applicant) came to the table to answer questions from the Committee.

The Committee asked questions of the officers and the applicant's representatives. The Committee noted that although the application site included the length of Churchill Drive this was not within the applicant's control and improvements could not be required as part of this permission.

On being proposed, seconded, and put to the vote the Committee agreed to approve the application and accept the officer's recommendations.

East Area Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the 25 required planning conditions and 3 informatives set out in section 12 of the report and grant planning permission subject to:
 - the satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the report with the deletion of the requirement for a financial contribution towards the monitoring of a travel plan; and
2. **delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions and informatives as set out in the report including such refinements, amendments, additions and/or deletions as the 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 the report, including refining, adding to, amending and/or deleting the obligations 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 Head of Planning Services considers reasonably necessary and; complete the section 106 legal agreement referred to above and issue the planning permission.

50. 19/01225/RES: University Of Oxford Old Road Campus, Roosevelt Drive, Oxford, OX3 7DQ

The Committee considered an application for planning permission for reserved matters for application 12/02072/OUT (appearance, landscaping, scale and layout) for plot B3, University Of Oxford Old Road Campus, Roosevelt Drive, Oxford, OX3 7DQ

This was a proposal to create the Institute of Developmental Regenerative Medicine (IDRM) by providing an academic research building of approximately 5,921m² over 3 floors.

The Planning Officer reported a correction to paragraph 4 of the report: there was no liability for Community Infrastructure Levy as none had been due on the outline application.

Paul Riley (representing the applicant) spoke in support of the application.

The Committee asked questions of the officers.

The Committee asked officers to make the applicant aware through a suitable informative that the emerging Local Plan policy 7.3 would require developments to future proof travel arrangements, and in light of this the inclusion of electric bike charging points on-site should be considered.

The Committee noted that the Construction Travel Management Plan had to take full account of the impact on access for ambulances and on patient parking.

On being proposed, seconded, and put to the vote the Committee agreed to approve the application and accept the officer's recommendations.

East Area Planning Committee resolved to:

1. **approve the reserved matters application** submitted in relation to condition 2 of outline planning permission for 12/02072/OUT for the reasons given in the report and subject to the 10 required planning conditions and 2 informatives set out in section 12 of the report and an informative on electric bike charging points, and grant planning permission.
2. **delegate authority** to the Head of Planning Services to finalise the recommended conditions and informatives as set out in the report and the additional informative referred to above including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

51. 19/02123/FUL: 76 Campbell Road, Cowley, Oxford OX4 3NU

Councillor Hollingsworth left the meeting at the start of this item.

The Committee considered an application for permission for the demolition of the existing single storey extension and garage, and the erection of a single storey extension and one 2 bedroom dwellinghouse with associated parking, amenity space and bin and bicycle storage at 76 Campbell Road, Oxford, OX4 3NU.

Simon Sharp (agent for the applicant) spoke in support of the application.

A motion to approve the application with a condition that the materials matched the existing building was not seconded and therefore fell.

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

East Area Planning Committee resolved to:

Refuse the application for the following reasons:

- 1) Because of its prominent site, excessive width and overall mass and bulk, as well as the unconventional position of the side extension relative to the existing house, the proposed extension would fail to achieve an appropriate and subservient visual relationship with the existing house, would unbalance the pair of semis and appear as an overly prominent, and visually jarring and incongruous addition to the street scene, to the detriment of visual amenity and contrary to Policies CP1 and CP8 of

the adopted Oxford Local Plan 2001 - 2016, CS18 of the Core Strategy, HP9 of the Sites and Housing Plan and DH1 of the emerging Local Plan 2036.

- 2) Because of its limited size, awkward shape and disjointed provision of space, along with its proximity to boundary treatments and the side and rear wall of the proposed house, the private amenity space proposed for the proposed new dwelling would be experienced as overly enclosed and claustrophobic and would fail to provide an outside area of acceptable quality to serve a family dwelling, to the detriment of residential amenity and contrary to Policy HP13 of the Sites and Housing Plan.

52. Minutes

The Committee resolved to approve the minutes of the meeting held on 2 October 2019 as a true and accurate record.

53. Forthcoming applications

The Committee noted the list of applications due to come to the committee for consideration.

54. Dates of future meetings

The Committee noted the dates with a correction to the date of the December meeting.

The next meeting is on Wednesday 4 December 2019 (not 2 December).

The meeting started at 6.00 pm and ended at 8.55 pm

Chair

Date: Wednesday 4 December 2019

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