

Agenda

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East Area Planning Committee

Note earlier start time

This meeting will be held on:

Date: **Wednesday 1 July 2020**

Time: **3.00 pm**

Place: **Zoom - Remote meeting**

For further information please contact:

Jennifer Thompson, Committee and Member Services Officer, Committee Services Officer

📞 01865 252275

✉️ democraticservices@oxford.gov.uk

Members of the public can attend to observe this meeting and.

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Information about speaking and recording is set out in the agenda and on the [website](#)

Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

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All public papers are available from the calendar link to this meeting once published

Committee Membership

Councillors: Membership 9: Quorum 5: substitutes are permitted.

Councillor Sian Taylor (Chair)	Northfield Brook;
Councillor John Tanner (Vice-Chair)	Littlemore;
Councillor Mohammed Altaf-Khan	Headington;
Councillor Shaista Aziz	Rose Hill and Iffley;
Councillor Nigel Chapman	Headington Hill and Northway;
Councillor Mary Clarkson	Marston;
Councillor Ben Lloyd-Shogbesan	Lye Valley;
Councillor Christine Simm	Cowley;
Councillor Roz Smith	Quarry and Risinghurst;

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

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Agenda

	Pages
<p>Planning applications - background papers and additional information</p> <p>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 <input type="text"/> search box.</p> <p>Any additional information received following the publication of the agenda will be reported and summarised at the meeting.</p>	
<p>Public access and speaking</p> <p>This meeting will be held remotely on Zoom. For details about public access and speaking at the meeting, please see the information towards the end of the agenda frontsheet.</p>	
<p>1 Apologies for absence and substitutions</p>	
<p>2 Declarations of interest</p>	
<p>3 20/00320/FUL: Land Running From Land South Of Grenoble Road To Horspath Depot (Horspath Road) And Redbridge Park And Ride (Abingdon Road),Grenoble Road, Oxford</p> <p>Proposal: Installation of an underground 33kV electricity cable from National Grid Cowley substation to Redbridge Park and Ride and Horspath Road and the use of existing park and ride land for EV charging (amended description).</p> <p>Site location: Land running from land south Of Grenoble Road to Horspath Depot (Horspath Road) and Redbridge Park and Ride (Abingdon Road), Grenoble Road, Oxford.</p>	15 - 38

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	<p>Recommendation: East Area Planning Committee is recommended to:</p> <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 13 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. 	
4	<p>20/01086/RES: Sports Field, William Morris Close, Oxford, OX4 2SF</p> <p>Proposal: Details of reserved matters (landscaping) for the hard and soft landscaping and vehicle tracking.</p> <p>Site address: Former Sportsground , William Morris Close, Oxford, OX4 2SF</p> <p>Recommendation: East Area Planning Committee is recommended to:</p> <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 Head of Planning Services considers reasonably necessary. 	39 - 110
5	<p>20/00184/FUL: 20 Osler Road, Oxford, OX3 9BJ</p> <p>Proposal: Demolition of existing dwelling and garage. Erection of 1 x 3-bed, 2 x 2-bed and 2 x 1 bed flats (Use Class C3). Provision of private amenity space, bin and bicycle stores (amended description and plans).</p> <p>Site address: 20 Osler Road, Oxford, OX3 9BJ</p> <p>Recommendation: East Area Planning Committee is recommended to:</p> <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 	111 - 126

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refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

6 20/00897/FUL: Assembly And Service Division BMW Manufacturing Ltd, Garsington Road, Oxford, OX4 6NL

127 -
134

Proposal: Roofing alterations to assembly hall to include replacing metal cladding and glazing, and installing 10 air handling units, access walkways and staircases.

Site address: Assembly And Service Division, BMW UK, Garsington Road, Oxford, OX4 6NL

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.

7 Minutes

135 -
142

Recommendation: to approve the minutes of the meeting held on 3 June 2020 as a true and accurate record.

8 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,	Called in

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OX4 2HA	
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
19/02247/VAR: John Radcliffe Hospital, Headley Way, Oxford, OX3 9DU	Committee level decision
19/02620/FUL: 17, 17A, 17B and 19 Between Towns Road, Oxford, OX4 3LX	Committee level decision
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
19/03224/FUL: 16 Windmill Road Oxford OX3 7BX	Called in
20/00128/VAR: 9 Binswood Avenue, Oxford, OX3 8NY	Committee level decision
20/00221/VAR: 96 Blackbird Leys Road, Oxford, OX4 6HS	Called in
20/00821/FUL: Rear of 10 - 28 Marshall Road, Oxford, OX4 2NR	Committee level decision
20/00856/FUL: 295-301 London Road, Headington, Oxford, OX3 9EH	Committee level decision
20/00934/FUL: Land To The Rear Of The George Inn, 5 Sandford Road, Littlemore, Oxford, OX4 4PU	Committee level decision
20/00994/CT3: East Oxford Community Centre, Princes Street, Oxford, OX4 1DD	Committee level decision - Council application
20/01018/FUL: 49 Marlborough Close Oxford OX4 4PH	Called in
20/01098 FUL: 78 Bulan Road, Oxford OX3 7HT	Called in
20/01298/CT3: East Oxford Games Hall, 5 Collins Street, Oxford, OX4 1XS	Committee level decision - Council application

9 Dates of future meetings

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Future meetings of the Committee are scheduled on Wednesdays at times shown. These will start at 3.00pm while the committee is meeting remotely.

2020

5 August 3.00pm

Remote meeting on Zoom

2 September

7 October

4 November

2 December

2021

13 January

3 February

3 March

7 April

10 May

Information for those attending regulatory committees - Remote meetings guidelines

Regulations passed in April 2020 enable the Council to hold meetings without some or all Members being physically present together in a room. To ensure the smooth running of remote meetings the Council has agreed a Protocol for Remote Meetings and everyone is asked to follow these guidelines which are based on that Protocol.

Attendance at remote meetings

Members (councillors) are “in attendance” provided that they can hear and be heard by the other participants. Any loss of visual connection does not give rise to non-attendance but a loss of audio connection does.

Should you lose connection to the meeting try to reconnect immediately. If you cannot immediately re-join the meeting by video link, please dial in to the meeting using the telephone number provided in the joining instructions.

If a Councillor loses connectivity to this meeting they will be prohibited from participating in the debate and voting on that agenda item unless the discussion is paused for the period of their non-attendance.

If other participants lose connection, this does not affect the debate or vote.

Remote meetings etiquette

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All participants are asked to:

- Stay visible on camera while your video feed is on. Turn the camera off if you stand up or leave your seat.
- Keep your microphone muted unless speaking. Un-mute / mute your own microphone before and after speaking.
- Use the “raise hand” icon to indicate a wish to speak. This is located in the “Participants” tab. Please be patient, the Chair will call you to speak and has absolute discretion to determine the order in which participants speak. Please lower your virtual hand after speaking.
- Not speak over other participants.
- Keep contributions relevant and concise.
- Councillors and officers must use the Chat function only to assist with the smooth administration of the meeting, e.g. to alert officers to a loss of audio connectivity.

Voting at remote meetings

When determining an application the voting will be by a roll call.

When called by the Clerk, Councillors are asked to state how they are voting on the proposal (e.g. “for”, “against” or “abstain”). Any Member who has not been in attendance to hear the full presentation and debate on an agenda item will be required to abstain from voting on that matter.

Public access to this meeting and members of the public speaking

Remote meetings will be held on Zoom.

Public access to remote meetings

1. You can watch the meeting remotely by clicking on the link in the comments section or under ‘media’ sited just above the agenda items.
2. The live link will appear on this page just as the meeting starts. This will launch a YouTube video of the live meeting. If it does not, then follow the link to the council’s YouTube channel where the video will be playing.

Registering to speaking

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3. Members of the public can register to speak at a meeting in accordance with the Procedure Rule within Council's Constitutions.
4. **For this committee you must register to speak before noon on the working day before the meeting**, giving the application name/number and whether you are supporting or objecting. You must also supply an email address and phone number. You can register through the links on the agenda items or by emailing democraticservices@oxford.gov.uk or by telephoning the Committee and Members Services Officer.
5. **Members of the public registering to speak are recommended to submit their contribution in writing to democraticservices@oxford.gov.uk not less than 24 hours before the meeting is due to start.** This will ensure that their contribution can be taken into account and, where necessary, responded to, in the event that the connection is poor or they are otherwise unable to join the meeting. Members of the public who register to speak will be advised of any word limit for their written submission.

Public attendance and speaking at remote meetings

6. Members of the public viewing the meeting should do this through the weblink to the live stream as above.
7. Members of the public may register to speak at the meeting in accordance with the procedure rules (see 4 and the notes at the end of the agenda frontsheet)
8. Those registering to speak will be provided with joining instructions and guidance on public participation in remote meetings by the Committee and Member Services Team.
9. When the meeting starts, or during the agenda item before the one they are speaking on, they should follow these instructions and join the meeting. When joining a meeting members of the public with a right to speak must ensure that they can be identified as a registered speaker otherwise their access to the meeting will be blocked.
10. They will be held as an 'attendee' and be able to see and hear the meeting but not take part.
11. The Meeting Host will 'enable' their microphone when they are called to speak, or may admit them to the meeting. They must not speak until are invited to do so by the Chair. Speeches are timed from the first words of the speech: there is no penalty for delays caused by the technology.

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12. The member of the public may remain as an attendee or in the meeting to hear the remainder of the agenda item. Once their contribution has been heard the Meeting Host will mute their microphone and it must remain muted for the remainder of the meeting unless the Chair invites them to speak again, at which point the microphone will be enabled again.
13. At the end of the agenda item, the Chair may ask speakers attending for that item to disconnect from the remote meeting and the Meeting Host may remove their access to the meeting. Members of the public may continue to observe the meeting by watching the live stream accessed via a link on the Council's [meetings webpages](#).
14. If a member of the public exercising their right to speak at a remote meeting loses connectivity during their contribution, they should immediately dial back in to the meeting using the telephone number provided in the joining instructions.
15. If a member of the public exercising their right to speak at a remote meeting loses connectivity and is unable to re-join the meeting their previously submitted written contribution will be considered (it will be read out by an officer who will keep strictly to the allocated time limit). If no written contribution has been submitted the meeting will proceed without considering their contribution.

Press access to remote meetings

16. Journalists wishing to attend a remote meeting are advised to inform pressoffice@oxford.gov.uk not less than 24 hours before the meeting is due to start to be issued with joining instructions.
17. Journalists in remote attendance are asked to keep their microphone muted and their video camera turned off.
18. Alternatively journalists can access meetings by viewing the live stream as set out in 1 and 2 above.

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Information for those attending

Recording and reporting on meetings held in public

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt 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, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

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". 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.

Procedure 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 interests is available from the Monitoring Officer.

The following minimum standards of practice will be followed:

1. All members of the Committee will have pre-read the officers' report. Committee 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 guidance at 24.15 (Planning Code of Practice) in the Council's Constitution).
2. At the meeting the Chair may draw attention to this procedure. The Chair may 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.
4. In determining an application Committee 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 overturning the officer's recommendation have been formulated including the reasons for refusal or the wording of any planning conditions; 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.

Public requests to speak

Members of the public wishing to speak must notify the Committee 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 via e-mail or telephone, to the Committee Services Officer (details are on the front of the Committee agenda).

Written statements from the public

Any written statement that members of the public or 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 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

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

Recording meetings

This is covered in the general information above.

Meeting Etiquette

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.

This procedure is detailed in the Annex to part 24 of the Council's Constitution as agreed at Council in January 2020.

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EAST AREA PLANNING COMMITTEE

01.07.2020

Application number: 20/00320/FUL

Decision due by 7th May 2020

Extension of time tbc

Proposal Installation of an underground 33kV electricity cable from National Grid Cowley substation to Redbridge Park and Ride and Horspath Road and the use of existing park and ride land for EV charging (amended description).

Site address Land running from land south Of Grenoble Road to Horspath Depot (Horspath Road) and Redbridge Park and Ride (Abingdon Road), Grenoble Road, Oxford, Oxfordshire – see **Appendix 1** for site plan

Ward Lye Valley Ward

Case officer Sarah Chesshyre

Agent: N/A **Applicant:** Mr Martin Cole

Reason at Committee The proposal constitutes major development

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 13 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 Head of Planning Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers the proposed installation of an underground electric cable from Cowley substation to Redbridge Park and Ride and to Horspath Depot to enable the provision of electric vehicle charging facilities, and the associated use of land for electric vehicle charging at Redbridge.

2.2. The development is considered acceptable in principle and would provide vital infrastructure in Oxford's transition to a zero carbon city. The cable would have no permanent visual impact once completed, and the electric charging points would

be acceptable in terms of their visual impact. It is considered that any impacts arising during construction in terms of highways, amenity, drainage, contaminated land, trees, biodiversity, archaeology and air quality can be adequately managed and would not be harmful. The proposals are considered to comply with policies DH1, DH3, DH4, G2, G7, M2, RE3, RE4, RE6, RE7, RE8 and RE9 of the Oxford Local Plan 2036 and the NPPF.

- 2.3. Officers consider that the proposals would be acceptable and that the development would accord with the policies of the development plan when considered as a whole and the range of material considerations and support the grant of planning permission.

3. LEGAL AGREEMENT

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

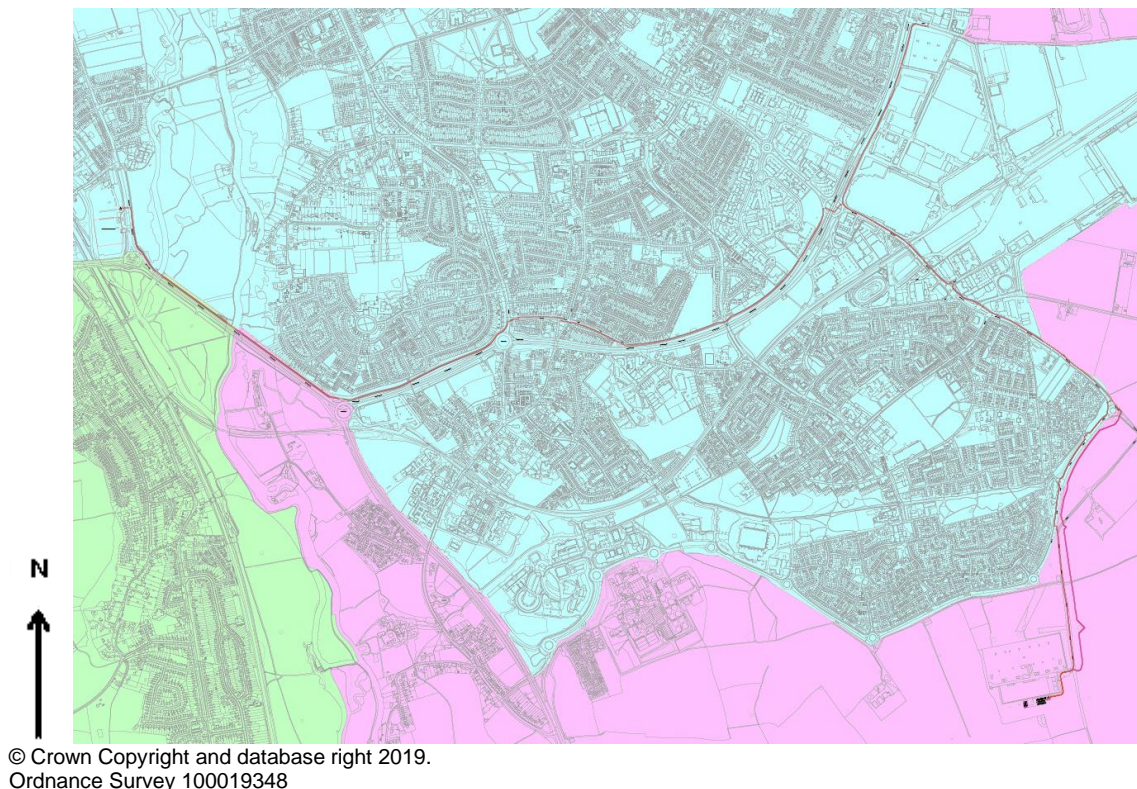
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

- 5.1. The application site is a corridor 6 metres in width running from Grenoble Road, in the south of Oxford, close to the Cowley National Grid Substation, to Redbridge Park and Ride, Abingdon Road and to Horspath Depot, Horspath Road. The site encompasses the route of the proposed underground electric cable, which would run from the Cowley Substation along Watlington Road, before splitting at Watlington Roundabout to run east along Eastern Bypass to Horspath Road, adjacent to Horspath Depot, and to run west along Eastern Bypass, along Long Lane and Newman Road, before rejoining Eastern Bypass to reach Heyford Hill Roundabout and Kennington Roundabout, and finally along Abingdon Road and across into Redbridge Park and Ride. The total route length is 8.2km. The site also encompasses a small area of land on the eastern edge of Redbridge Park and Ride, and the southern part of the car park at Redbridge.
- 5.2. The site consists predominantly of existing highway or footway/cycleway, with approximately 0.5km of the route following highway and the remaining 7.7km following footway/cycleway adjacent to highway. The site is therefore largely laid to hard surface with areas of grassed and treed verge along much of the route. The area of land on the eastern edge of Redbridge Park and Ride is situated adjacent to existing car parking and the main service building. The area of the site to be used for electric vehicle charging is existing hard surfaced car park.

- 5.3. See block plan below:



6. PROPOSAL

- 6.1. The application proposes the installation of an underground 33kV electric cable to link the Redbridge Park and Ride and the Horspath Depot with Cowley National Grid Substation in order to provide the necessary electricity supply for the installation of electric vehicle charging points. This would require the excavation of a trench approximately 1.2 metres wide and 1.1 metres deep. The electric cable would be laid in ducting in the trench, which would be infilled such that there would be no evidence of the cable aboveground once the development was completed. The detailed phasing of the works is to be established, but it is anticipated that approximately 25 metres of the route could be covered in a day, including excavation, laying of the cable and infilling and making good. It is proposed for the installation of the cable to be carried out accordingly, with each section being completed before moving on to the next section, in order to minimise disruption.
- 6.2. Permission is also sought for the use of part of Redbridge Park and Ride for the installation of 50 electric vehicle charging points.
- 6.3. The proposals form an integral part of the Energy Superhub Oxford project, which seeks to assist Oxford achieve net zero carbon status, improve pollution levels and increase electric vehicle adoption in the city. The implementation of the scheme is projected to assist Oxford in achieving a saving of 20,000 tonnes of CO₂ per year in 2021, rising to 44,000 tonnes per year by 2032, and in significantly improving air quality. The cable also has the potential to connect to major businesses along the route, including Oxford Bus Company and the BMW factory, as well as providing the infrastructure for the use of ground source heat pumps for residential properties along Watlington Road, although this does not form part of the application.

6.4. Officers note that an electricity substation was originally included in the application, on an area of land at the eastern edge of Redbridge Park and Ride. This has been omitted from the proposals and will be considered under a separate planning application.

6.5. Officers also note that two small sections of the cable route fall outside the boundary of the city: from the Cowley National Grid Substation to Grenoble Road, along Blackberry Lane, and a section of the Eastern Bypass between Heyford Hill Roundabout and the crossing over Weirs Mill Stream. Separate planning applications have been submitted to the relevant planning authorities for these sections of the route, and these have been determined separately and were approved. These sections of the route do not form part of this application.

7. Environmental Impact Assessment (EIA)

7.1. An environmental screening opinion has been provided (in connection with the requirements of the Town and Country Planning (Environmental Impacts Assessment) Regulations 2011, Regulation 5). The development proposed is not considered to be EIA development.

8. RELEVANT PLANNING HISTORY

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

No relevant site history.

9. RELEVANT PLANNING POLICY

9.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Oxford Local Plan 2036
Design	124-132	DH1 - High quality design and placemaking
Conservation/Heritage	189, 190, 192-196	DH3 – Designated heritage assets DH4 – Archaeological remains
Natural environment	133-147 148-169 170-183	G2 – Protection of biodiversity and geo-diversity G7 – Protection of existing Green Infrastructure Features
Transport	102-111	M2 – Assessing and managing development
Environmental	155-165 178	RE3 – Flood risk management RE4 – Sustainable and foul drainage, surface and groundwater flow RE6 – Air quality

		RE7 – Managing the impact of development RE8 – Noise and vibration RE9 – Land quality
Miscellaneous	38, 47, 48	S1 – Presumption in favour of sustainable development

10. CONSULTATION RESPONSES

10.1. Site notices were displayed along the route of the application site on 30th March 2020 and an advertisement was published in The Oxford Times newspaper on 12th March 2020.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

10.2. No objection subject to conditions requiring the submission of a Construction Traffic Management Plan. Informative requested noting the requirement for a Section 278 agreement.

Oxfordshire County Council (Drainage)

10.3. No objection subject to evidence of consultation with the Environment Agency to secure relevant permissions and permits for crossing main rivers. Recommendation that further information is provided regarding crossing of culverts.

Thames Water

10.4. No objection subject to conditions requiring that no construction shall take place within 5 metres of a water main; the submission of information detailing how the development shall be aligned to prevent the potential for damage to subsurface infrastructure; and the approval of a piling method statement prior to any piling taking place.

Natural England

10.5. No objection subject to mitigation being secured through an appropriate Construction Environment Management Plan.

Environment Agency

10.6. No objection subject to conditions requiring development to be carried out in accordance with submitted FRA and mitigation measures; the submission and approval of a remediation strategy to address risks associated with contamination of the site; the submission and approval of a Construction Environment Management Plan (including references to Iffley Meadows SSSI and environmental records searches). Recommend informative regarding requirements for Environmental permits.

Historic England

10.7. No comments.

Littlemore Parish Council

10.8. Awaiting comments – verbal update to be provided.

Blackbird Leys Parish Council

10.9. Awaiting comments – verbal update to be provided.

Internal – Air quality

10.10. No objection, subject to condition requiring approval of Construction Environment Management Plan prior to commencement.

Internal - Trees

10.11. No objection subject to conditions requiring compliance with approved Arboricultural Method Statement (AMS); and approval of an arboricultural watching brief.

Internal – Land quality

10.12. No objection subject to conditions requiring approval of a ground gas risk assessment, and the undertaking of a watching brief to identify any contamination.

Internal – Flood Mitigation

10.13. No objection subject to compliance with requirements and recommendations of Thames Water and the Environment Agency.

Internal – Archaeology

10.14. No objection subject to condition requiring approval of a written scheme of investigation (WSI), and development in compliance with the WSI.

Internal – Environmental Health (Noise)

10.15. No objection subject to condition requiring approval of a Construction Management Plan including measures to be taken to minimise noise effects.

Public representations

Oxford Bus Company

10.16. Oxford Bus Company (OBC) supports the proposal. The cable will make it possible for an electricity supply to be provided to the OBC depot on Watlington Road. This is essential to enable overnight charging of electric buses at the depot. OBC wish to point out that installation process needs to be designed sensitively to cause minimum disruption to their depot operations, e.g. can't have both the gates to the depot out of use due to a cable being installed across them.

11. PLANNING MATERIAL CONSIDERATIONS

11.1. Officers consider the determining issues to be:

- i. Principle of development
- ii. Highways and access
- iii. Amenity
- iv. Design
- v. Drainage
- vi. Land quality
- vii. Air quality
- viii. Trees
- ix. Biodiversity
- x. Archaeology

i. Principle of development

11.2. The Oxford Local Plan 2036 has the broad objectives of seeking to make progress towards the Council's commitment to achieve net zero greenhouse gas emissions in Oxford this century; reduce vehicle emissions through the use of zero emissions vehicles and improve air quality. While there are limited policies relating specifically to the infrastructure to achieve these aims, the plan clearly supports such principles. The development should also be considered in the wider context of the Council's policies and the National Planning Policy Framework (NPPF), as well as other material considerations.

11.3. The proposed development would deliver infrastructure that is required for a major and innovative carbon reduction project in Oxford. The proposals are supported in principle by the NPPF which states at paragraph 148 that the planning system should support the transition to a low carbon future in a changing climate, and that it should support renewable and low carbon energy and associated infrastructure. The NPPF also states at paragraph 154 that, in determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy; and approve applications if its impacts are (or can be made) acceptable.

11.4. The use of land at Redbridge Park and Ride for electric vehicle charging is acceptable in principle and would not constitute a material change of use from the existing use for car parking. The use of the land for electric vehicle charging would also help to achieve carbon reduction and would accord with the overall aims and objectives of the NPPF and the Oxford Local Plan 2036.

11.5. Therefore officers consider that the principle of development, as a low carbon scheme, is acceptable and would accord with the overall aims of the Oxford Local Plan 2036 and the NPPF, subject to the consideration of the impacts of the development and other relevant material considerations.

ii. Highways and access

- 11.6. Policy RE7 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that does not have unacceptable transport impacts affecting communities, occupiers, neighbours and the existing transport network, and provides mitigation measures where necessary. Policy M2 requires that a Construction Traffic Management Plan is provided for development where construction activities are likely to have a significant impact on the adjacent or surrounding road network, and states that planning permission will only be granted where adequate and appropriate transport-related measures will be put in place.
- 11.7. The proposed use of part of the Redbridge Park and Ride site for electric vehicle charging would not materially change the existing car park use, and in this respect would not have implications for the highway network. Further details of the proposed layout of parking spaces and charging equipment are required in order to ensure that they can be safely and practicably accessed and used, and a condition is recommended requiring the submission and approval of details of the layout, position and appearance of these spaces.
- 11.8. The proposed cable along the route will not permanently impact on the public highway network, however there will be temporary impacts during construction.
- 11.9. The route of the proposed cable is predominantly along existing highways, with a short section (approximately 0.7km) within the carriageway and the remainder being along existing cycleways and footways adjacent to the carriageway. These routes are well used by cyclists and pedestrians. Along Watlington Road there are a number of businesses, including Oxford Bus Company and the BMW factory, as well as retail units, whose access to their premises would be impacted by the proposed works. The section of the route that follows Long Lane and Newman Road passes adjacent to residential dwellings which rely on a mixture of on-street parking and parking within front gardens. Long Lane is also used by the no.16 bus route. The cable route connects to Redbridge Park and Ride and access to this site is required by users of the Park and Ride and buses serving the bus stop at the site.
- 11.10. As detailed above, it is proposed to install the cable in approximately 25 metre sections, each of which could be completed in a day. It is considered that this would minimise disruption in terms of access and impacts to traffic, residents and businesses. The application states that the need for any diversions has not been identified currently. However, it is essential that suitable arrangements are put in place to maintain access and where necessary provide diversion routes.
- 11.11. No objection is raised by Oxfordshire County Council as Highways Authority subject to a condition requiring the submission and approval of a Construction Traffic Management Plan (CTMP) prior to the commencement of works. This would include details of any road, footpath or cycle lane closures required, and associated diversions and signage or temporary access required, as well as requirements to keep local residents and businesses informed; and details of traffic management during construction. This would also include arrangements for site related vehicles (worker transport etc.) and site storage and compounds, as well as details of times for construction traffic and delivery vehicles, which would be required to be outside network peak and school peak hours.

- 11.12. Officers note comments submitted by Oxford Bus Company regarding the need to ensure adequate access to their depot is maintained during construction. The need to maintain access to this site, as well as to other business premises and residential properties along the route is acknowledged. The requested CTMP will be required to provide details of arrangements for maintaining access and keeping businesses and residents informed of these.
- 11.13. Subject to this condition for a CTMP, it is considered that any temporary impacts to highways and access during construction can be adequately managed and would be acceptable and compliant with policies M2 and RE7 of the OLP2036, as well as paragraphs 108-110 of the NPPF.
- 11.14. Officers note that agreement must be sought from the Highways Authority for the carrying out of works to the public highway, and for the placing of private apparatus within the highway, and informatives are recommended accordingly. Officers also note that comments were received from Natural England relating to maintaining access to the Thames Path National Trail beneath Eastern bypass and adjacent to Iffley Meadows SSSI. This part of the route of the cable falls outside the boundary of Oxford City, and therefore these matters would be addressed by the relevant local planning authority whose jurisdiction they lie within.

iii. Amenity

- 11.15. Policy RE7 of the OLP2036 states that planning permission will only be granted for development that ensures that the amenity of communities, occupiers and neighbours is protected. Policy RE8 of the OLP2036 states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health and quality of life, and that planning permission will not be granted for development that will generate unacceptable noise and vibration impacts.
- 11.16. The proposed electric vehicle charging points at Redbridge Park and Ride would be located at a distance of over 150 metres from the closest residential dwellings, and therefore are not considered to have any impact on amenity in terms of daylight, outlook or overbearing impacts.
- 11.17. The installation of the cable will not have any permanent impacts to amenity, being below ground once completed. However, the proposed development would involve construction works that would include the use of mechanical plant, machinery and construction vehicles. Particularly during ground breaking and excavation, there will be temporary impacts to the amenity of residents, although as noted above the proposed phasing of the works would result in the duration of any impacts being minimised. It is considered that these impacts can be adequately addressed and managed through a Construction Management Plan including detailed measures to be taken to minimise noise, vibration and dust effects from the development.
- 11.18. Subject to this condition to secure a Construction Management Plan, and details of proposed hours of working to be agreed in the CTMP, it is considered that the proposed development would not have any unacceptable impacts on the amenity

of communities or residents along the proposed route and would comply with policies RE7 and RE8 of the OLP2036.

iv. Design

- 11.19. Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness.
- 11.20. The proposed cable would be installed below ground and therefore once development is complete would have no permanent visual impact.
- 11.21. The proposed electric vehicle charging points would be located within an existing park and ride facility which already features associated paraphernalia including signage and ticketing machines. The Redbridge Park and Ride site has a utilitarian appearance and the siting of further equipment associated with the existing use is considered acceptable in principle in terms of its visual impact, although further details of the siting and appearance of the proposed electric vehicle charging points is required and will be requested by condition.
- 11.22. The proposed development is considered acceptable in design terms and compliant with policy DH1 of the Oxford Local Plan 2036.

v. Drainage

- 11.23. The NPPF states that when determining planning applications Local Planning Authorities should ensure that flood risk is not increased elsewhere and that development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that the most vulnerable development is located in areas of lowest flood risk; the development is appropriately flood resistant and resilient; it incorporates sustainable drainage systems; any residual risk can be safely managed; and safe access and escape routes are included where appropriate (paragraph 163).
- 11.24. Policy RE3 of the OLP2036 states that development will not be granted in Flood Zone 3b except where it is for water compatible uses or essential infrastructure. Policy RE3 also states that planning permission will only be granted where the submitted Flood Risk Assessment (FRA) demonstrates that the proposed development will not increase flood risk on or off site; safe access and egress in the event of a flood can be provided; and details of necessary mitigation measures to be implemented have been provided. Policy RE4 requires that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off.
- 11.25. The proposed electric vehicle charging spaces would be located within Flood Zone 1 and so would not be in an area that is identified as being at a high risk of flooding. The existing Redbridge Park and Ride site is tarmacked and no change to this would be required in association with the provision of electric vehicle charging.

- 11.26. The proposed cable route passes through areas that fall within Flood Zones 2 and 3. The proposed development is considered essential infrastructure and therefore appropriate for these flood zones. As the cable will be laid below ground there will be no changes to existing ground levels once the development is complete, and any excavated ground will be returned to its previous state prior to development so there will be no increase in hard surfaces as a result of the development.
- 11.27. No objection is raised by the Environment Agency, subject to a condition requiring that the development is carried out in accordance with the submitted flood risk assessment and that all excavated material will be stored outside of Flood Zone 3, and that all ancillary buildings, plant and equipment will be located or stored outside of Flood Zone 3.
- 11.28. Thames Water also raise no objection to the development subject to conditions requiring that no construction takes place within 5 metres of the water main, and the submission and approval of details of measures to prevent any potential damage to subsurface potable water infrastructure. A condition was also requested requiring a piling method statement to be submitted and approved prior to any piling taking place; however the applicant has provided written confirmation that no piling is required to take place in association with the development and this condition is therefore not required, necessary or reasonable.
- 11.29. Subject to the recommended conditions, the proposed development is considered acceptable in terms of its impacts on existing water and drainage infrastructure, and will not lead to any increase in flood risk. The proposals are compliant with policy RE3 of the OLP2036 and paragraphs 155 and 163 of the NPPF.

vi. Land quality

- 11.30. The NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination, which includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation; and that adequate site investigation information is available to inform these assessment (paragraph 178).
- 11.31. Policy RE9 of the OLP2036 sets out the requirements for applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment. These include details of investigations carried out to assess the nature and extent of contamination and possible impacts on the development and future users, biodiversity, and the natural and built environment; and detailed mitigation measures.
- 11.32. The electric cable would be installed at a depth of approximately 1.2m below ground, and therefore is unlikely to encounter groundwater. Furthermore most of the route runs close to the highway and is unlikely to encounter contaminated ground. However, along Garsington Road there may be significant made ground (land where natural or undisturbed soils have largely been replaced by man-made or artificial materials) present from the former use as an automotive works, and

Redbridge Park and Ride site is a former landfill. Both these former land uses could give rise to potentially significant contamination risks during the construction phase of the development. It is also noted that Redbridge is in close proximity to canals and watercourses and these controlled water receptors could be vulnerable to contamination.

- 11.33. The Environment Agency has recommended that a remediation strategy for the length of the proposed route is submitted and approved prior to the commencement of development in order to address the potential risks of contaminated land being encountered. A condition is recommended accordingly.
- 11.34. Given the former landfill use at Redbridge, in connection with the proposed use of land for electric vehicle charging, a ground gas risk assessment is required to be carried out to ensure that there are no potentially significant ground gas risks to future site users. Accordingly a condition is recommended requiring that a ground gas risk assessment is carried out prior to the commencement of development.
- 11.35. Subject to recommended conditions, it is considered that the proposed development would not result in any unacceptable impacts in terms of contaminated land or contamination to surrounding environments, and is compliant with policy RE9 of the OLP2036 and paragraph 178 of the NPPF.

vii. Air quality

- 11.36. The NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environment conditions such as air and water quality (paragraph 170).
- 11.37. Policy RE6 of the OLP2036 states that planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to poor air quality is minimised or reduced.
- 11.38. An Air Quality Assessment was submitted with the application which details the likely impacts from the development during the construction phase. The assessment identifies potential impacts of dust emissions during the construction phase. The assessment also identifies limited increases in emissions from traffic associated with the scheme and changes in traffic flow during the development.
- 11.39. It is considered that these impacts can be adequately managed and mitigated through a Construction Environment Management Plan (CEMP) such that exposure to poor air quality would be minimised. Subject to a condition requiring the submission and approval of a CEMP prior to the commencement of development, it is considered that the proposals would be acceptable in terms of their impacts on air quality and compliant with RE6 of the OLP2036 and paragraph 170 of the NPPF.

viii. Trees

- 11.40. Policy G7 of the OLP2036 seeks to prevent the loss of green infrastructure features where this would have a significant adverse impact on public amenity or ecological interest. Policy G7 also states that planning permission will not be granted for development resulting in the loss of other trees, except in the following circumstances: where it can be demonstrated that retention of the trees is not feasible; and where tree retention is not feasible, any loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional tree cover (with consideration to the predicted future tree canopy on the site following development); and where loss of trees cannot be mitigated by tree planting onsite then it should be demonstrated that alternative proposals for new Green Infrastructure will mitigate the loss of trees, such as green roofs or walls.
- 11.41. The route does not pass in close proximity to any trees subject to a Tree Protection Order or any other formal designation. However, much of the route follows existing highways and the treed verges make an important contribution to public amenity, as well as providing habitat for nesting birds and other species. A detailed survey of trees located along the proposed route has been undertaken, and officers are satisfied that the route selected is the least potentially damaging to trees. The proposed development does not require the removal of any trees or established shrubs.
- 11.42. An Arboricultural Method Statement (AMS) has been provided with the application, and detailed tree protection measures along the route of the proposed cable have also been submitted. A number of sections of the route have been identified where proximity to trees will require excavations to be carried out by hand. The submitted Tree Protection Plans and AMS make reference to supplementary guidance notes however this is generic information and further specific details are required; a condition is recommended requiring the submission and approval of an Arboricultural Watching Brief prior to the commencement of development, in addition to a condition requiring compliance with the AMS.
- 11.43. Subject to recommended conditions officers are satisfied that the development would not result in the loss of any trees or harm to the viability of any retained trees. The proposals are therefore compliant with policy G7 of the OLP2036.

ix. Biodiversity

- 11.44. The NPPF states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity or geological value and minimising impacts on and providing net gains for biodiversity (paragraph 170).
- 11.45. Policy G2 of the OLP2036 states that development that results in a net loss of sites and species of ecological value will not be permitted. The policy also states that sites and species important for biodiversity and geodiversity will be protected, and that planning permission will not be granted for any development that would have an adverse impact on sites of national or international importance.
- 11.46. The application is accompanied by a Phase 1 Habitat Survey and an Ecological Mitigation Plan (EMP). The Survey covered a corridor 20 metres in width along the

proposed route. No evidence of protected species was found. The route of the proposed cable, as well as the proposed electric vehicle charging points, would be located on existing hard-standing and implications for biodiversity are considered to be limited. However, part of the route passes adjacent to the Iffley Meadows SSSI, and the route also crosses watercourses.

11.47. The Environment Agency and Natural England have requested the submission of a Construction Environmental Management Plan (CEMP), which would also make reference to the Iffley Meadows SSSI and include the results of an environmental records search to ensure that due consideration is given to priority habitats and species, and provide information on possible impacts and mitigation for the SSSI. This has been requested by condition.

11.48. Subject to the recommended condition officers are satisfied that the proposed development would not result in the net loss of sites and species of ecological value and the works would not have an adverse impact on sites of national or international importance. The proposed development is considered to comply with policy G2 of the OLP2036 and paragraph 170 of the NPPF.

x. Heritage assets

11.49. The NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets and expects applicants to understand the impact of any proposal upon those assets with the objective being to sustain their significance (paragraph 189). The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining applications, and in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 197).

11.50. Policy DH4 of the OLP2036 states that where archaeological deposits and features are suspected to be present applications should include sufficient information to define the character, significance and extent of archaeological deposits. Proposals that will lead to harm to the significance of non-designated archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm, having regard to the significance of the remains or feature and the extent of harm.

11.51. The proposed electric vehicle charging points would not be located in a Conservation Area or its setting, or in the setting of any listed buildings. This part of the site is also not within any designated protected view. Therefore the above ground development proposed would not have any impact on designated heritage assets. The proposed cable, once installed, will not be visible and therefore would not have any impact on above ground heritage assets.

11.52. The proposed installation of the cable has potential archaeological implications as it involves excavation along the 8.2km long route. There are a number of recorded archaeological sites along the proposed route of the cable, including a Roman Road, Roman pottery manufacturing sites, and an area that has produced medieval settlement evidence, although none of these are designated as

scheduled monuments or other designated heritage assets. As such it is considered that a targeted watching brief along a defined area should be requested, and a condition is recommended accordingly requiring a written scheme of investigation including a programme for post-investigation assessment and analysis, publication and dissemination.

11.53. Having regard to the character of the proposed works and the limited size of the trench it is considered that this approach is sufficient to identify potential archaeological remains. The development will make significant contributions to the de-carbonisation of transport in Oxford and will result in the reduction of carbon emissions in Oxford, which are considered substantial public benefits. Subject to the recommended condition officers are satisfied that any archaeological remains encountered can be identified and recorded. As such, it is considered that any potential harm to non-designated archaeological remains or features that may arise as a result of the development can be justified through the substantial public benefit that would be delivered, and any harm would be outweighed by the public benefit.

11.54. Subject to the recommended condition, any harm caused to non-designated heritage assets by the proposals is considered justified having regard to the substantial public benefits that would be delivered. The proposals are considered to comply with policy DH4 of the OLP2036 and paragraphs 189 and 197 of the NPPF.

12. CONCLUSION

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

12.2. 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 accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Compliance with Development Plan Policies

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

12.4. In summary, the proposed development would make a significant contribution to carbon reduction in Oxford which is considered a substantial benefit and is supported by the overall objectives of the Oxford Local Plan 2036, as well as by paragraphs 148 and 154 of the NPPF. The visual impact of the proposals is considered acceptable and compliant with policy DH1. The development would not have any unacceptable impacts in terms of highways and traffic, including to pedestrians and cyclists, and is compliant with policy M2 and RE7 in this respect. The proposals would have limited short terms impacts on amenity during construction but these can be managed in such a way that they would not be unacceptably detrimental to amenity, including in terms of noise and other nuisance, and are compliant with RE7 and RE8. Environmental impacts in terms of drainage, contaminated land, green infrastructure features, biodiversity and air quality, particularly arising during construction, can be managed and would be acceptable and compliant with policies G2, G7, RE3, RE4, RE6, RE7 and RE9. Any impacts to non-designated archaeological features can be managed through the conditions imposed, and any harm is considered to be justified and outweighed by the substantial public benefits that the scheme would deliver in terms of zero-emissions transport and carbon reduction.

12.5. Therefore officers consider that the proposals would accord with the development plan as a whole.

Material considerations

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

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

12.8. Officers would advise members that, having considered the application carefully, including all representations made with respect to the application, the proposals are considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036, and that there are no material considerations that would outweigh these policies.

12.9. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 13 of this report.

13. 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.

- 3 Prior to the commencement of the development hereby approved a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Traffic Management Plan shall include the following details:
- The CTMP must be appropriately titled, include the site and planning permission number.
 - Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
 - Details of and approval of any road/footpath/cycle lane closures needed during construction.
 - Details of and approval of any traffic management needed during construction.
 - Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
 - Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
 - The erection and maintenance of security hoarding / scaffolding if required.
 - A regime to inspect and maintain all signing, barriers etc.
 - Contact details of the Project Manager and Site Supervisor responsible for onsite works to be provided.
 - The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
 - No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
 - Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
 - A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
 - Local residents and businesses to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
 - Any temporary access arrangements to be agreed with and approved by Highways Depot.
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

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

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times as required by policies M2 and RE7 of the Oxford Local Plan 2036.

- 4 Upon completion of the development the land shall be reinstated to its former condition in accordance with a scheme that shall have been submitted to and approved in writing by the Local Planning Authority prior to its implementation.

Reason: To ensure that the surfaces of roads, cycleways and footways are restored to an acceptable standard in accordance with policy M2 of the Oxford Local Plan 2036.

- 5 The development shall be carried out in accordance with the submitted flood risk assessment (Flood Risk Technical Note A115750, WYG, 22.02.20) and the following mitigation measures:
- All excavated material will be stored outside of flood zone 3
 - All ancillary buildings, plant and equipment will be located or stored outside of flood zone 3.

Reason: To prevent flooding elsewhere by ensuring that flood waters are not impeded or directed into adjacent areas and ensuring that floodplain storage capacity is not reduced in accordance with paragraph 163 of the NPPF and RE3 of the Oxford Local Plan 2036.

- 6 Prior to each phase of development approved by this planning permission, no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. The strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on the need identified in (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how and when they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term

monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. During the course of the development the scheme shall be implemented as approved.

Reason: To protect controlled water receptors in areas of landfilling and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with policy RE9 of the Oxford Local Plan 2036 and paragraph 170 of the NPPF.

- 7 Prior to the commencement of the development an appropriate ground gas risk assessment shall be carried out by a competent person for the Redbridge Park and Ride site in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CR11) (or equivalent British Standards and Model Procedures if replaced). Where any potentially significant ground gas risks are identified, an appropriate remediation strategy, validation plan and/or monitoring plan shall be submitted to and approved in writing by the Local Planning Authority to ensure the site will be suitable for its proposed use and the development shall only be implemented in accordance with the approved details.

Reason: To ensure that any ground contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE9 of the Oxford Local Plan 2036.

- 8 Prior to the commencement of development, a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall contain all the Highly Recommended site mitigation measures corresponding to a 'Medium Risk Site' which are identified in the IAQM Guidance on the assessment of dust from demolition and construction (pages 24-27).

The plan shall highlight the location and sensitivity of Iffley Meadows SSSI and make reference to a search of the Thames Valley Environmental Records Centre to ensure that all protected and priority species and habitats, as well as statutory and non-statutory sites, are adequately considered. Mitigation measures to adequately address any possible impacts including pollution via surface water run-off or dust during construction shall also be included. The plan shall also include details of any machinery or structures required to be placed beneath bridges crossing Iffley Meadows SSSI, and details of measures to be put in place to avoid any impact to Iffley Meadows SSSI.

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

Reason: To ensure that the overall dust impacts during the construction phase of the development will remain as 'not significant', in accordance with the results of the dust assessment in accordance with RE6 of the Oxford Local Plan 2036 and to ensure no adverse impacts to priority species and habitats, in accordance with policy G2 of the Oxford Local Plan 2036 and paragraphs 170 and 175 of the NPPF.

- 9 The development hereby approved shall be implemented strictly in accordance with the all of the measures detailed in the submitted Ecological Mitigation Plan (WYG, January 2020, A115750) and its addendum dated 20th April 2020.

Reason: To minimise the impacts of the development on biodiversity in accordance with policy G2 of the Oxford Local Plan 2036 and paragraphs 170 and 175 of the NPPF.

- 10 No construction shall take place within 5m of the water main. Prior to the commencement of development information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, shall be submitted to and approved in writing by the Local Planning Authority. Any construction shall be undertaken in accordance with the terms of the approved information. Unrestricted access shall be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: To ensure that the development does not impact upon underground water utility infrastructure in accordance with policy RE7 of the Oxford Local Plan 2036.

- 11 The development including demolition shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the submitted Arboricultural Assessment and Method Statement, unless as otherwise agreed in writing by the Local Planning Authority.

Reason: To protect retained trees during construction in accordance with policy G7 of the Oxford Local Plan 2036.

- 12 Prior to the commencement of development details of an arboricultural watching brief shall be submitted to and approved in writing by the Local Planning Authority. The brief will include details of a monitoring programme for tree protection measures and supervision of all aspects of construction that require an Arboricultural Method Statement (AMS) as approved by the Local Planning Authority. An arboriculturalist shall conduct monitoring at scheduled time intervals and supervision of AMS works as required. The arboriculturalist shall prepare a monthly report of their work, including a photographic record, to be submitted to the Council's Tree Officer for inspection. The arboricultural watching brief shall be carried out during the development in accordance with the approved details.

Reason: To demonstrate compliance with tree protection conditions and to ensure that trees are protected from injury or damage during development, and to ensure a high quality landscape appearance in the interests of public visual amenity in accordance with policy G7 of the Oxford Local Plan 2036.

- 13 Prior to the commencement of development an archaeological written scheme of investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no development shall take place other than in accordance with the approved WSI, which shall include the statement of significance and research objectives, and:
- the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - the programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting materials. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To manage the impact of development on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Roman and medieval remains, in accordance with DH4 of the Oxford Local Plan 2036.

- 14 Prior to the installation of electric vehicle charging points at Redbridge Park and Ride, further details of the proposed parking spaces for electric vehicle charging shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the number, layout and position of car parking spaces, and the position and appearance of the proposed charging points. The development shall be carried out in accordance with the approved details, and the approved spaces and charging points shall be retained for that purpose only unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policy RE7 of the Oxford Local Plan 2036 and to ensure an acceptable visual appearance in accordance with policy DH1 of the Oxford Local Plan 2036.

- 15 Prior to the commencement of development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include detailed measures to be undertaken to minimise noise and vibration effects. The development shall only be carried out in accordance with the approved CMP.

Reason: To protect the amenity of residents and communities from unacceptable noise, vibration and dust arising from the development in accordance with policy RE7 of the Oxford Local Plan 2036.

14. INFORMATIVES

- 1 Prior to the commencement of development, a separate agreement(s) must be obtained from Oxfordshire County Council's (OCC) Road Agreements Team for the proposed highway works (vehicular access, new footway links, bus infrastructure, pedestrian refuge island, carriageway widening and new right-turn lane) under S278 of the Highways Act 1980. For guidance and information please contact the county's Road Agreements Team via:
<https://www.oxfordshire.gov.uk/cms/content/contact-road-agreements-team>
- 2 Agreement to place private apparatus within the highway is required from Oxfordshire County Council Highway Authority. The developer is required to seek a Section 50 licence.
- 3 Oxfordshire County Council Drainage Team should be consulted in relation to cabling crossing ordinary watercourses. Cabling over existing culverts should be indicated on a plan with accompanying information detailing ownership of culverts, responsibility for ongoing maintenance/inspection of culverts. New cable runs over existing culverts should be re-routed wherever possible.
- 4 The developer is required to contact the Thames Water Developer Services department and state that they have been referred to the Asset Protection team by the Development Planning team to discuss the requirements for an asset protection study (0800 009 3921 or by email at developer.services@thameswater.co.uk, FAO Asset Protection). Their case will be logged and a representative from the Asset Protection team will be in contact with them. The developer should provide cross sectional details with the TW assets marked up on them.

More details on the asset protection impact study process can be found in the guidance document "Working Near Our Assets" (available online at <https://developers.thameswater.co.uk/developing-a-largesite/planning-your-development/working-near-or-diverting-our-pipes>).

Please bear in mind that Thames Water will hold the developer and any relevant contractor/sub-contractor liable for any losses incurred or damage caused to Thames Water assets arising from construction works or subsequent use of the facility.

- 5 The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk.

15. APPENDICES

- **Appendix 1** – Site location plan

16. HUMAN RIGHTS ACT 1998

- 16.1. 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.

17. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 17.1. 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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East Area Planning Committee

1st July 2020

Application number:	20/01086/RES
Decision due by	5 th August 2020
Extension of time	N/A
Proposal	Details of reserved matters (landscaping) for the hard and soft landscaping and vehicle tracking.
Site address	Former Sportsground , William Morris Close, Oxford, OX4 2SF – see Appendix 1 for site plan
Ward	Cowley Marsh Ward
Case officer	Michael Kemp
Agent:	Mr Simon Sharp
Applicant:	Cantay Estates
Reason at Committee:	This is a major planning 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.

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

2. EXECUTIVE SUMMARY

2.1. This report considers a reserved matters planning application, which relates to outline planning permission 18/03330/OUT. Permission was granted in March 2020 for the residential development of the former Sports Pitch and associated areas of hardstanding at William Morris Close subject to a legal agreement, following resolutions to approve permission by the East Area Planning Committee and the Planning Review Committee in November 2019.

2.2. This reserved matters application relates only to landscaping. Matters relating to the principle of development, access, appearance, layout and design were

addressed at the time outline Planning Application 18/03330/OUT was determined and are not matters to be reconsidered under this application. It should be noted that variations have also been proposed to the outline planning permission under planning application 20/01067/VAR which includes minor changes to the design and external appearance of the approved buildings, as well as alterations to the site layout.

- 2.3. The landscape strategy proposed is considered to be acceptable in visual terms and would allow for additional tree planting and soft landscaping, compared with the indicative layout presented at outline planning stage. The landscape provisions are considered to be acceptable in urban design terms and comply with Policy DH1 of the Oxford Local Plan 2016-2036. The landscape treatment of the areas of public open space are considered to be positive and comply with the provisions of Policy G8 of the Oxford Local Plan 2016-2036.
- 2.4. The proposals include relatively dense planting along the northern boundary of the site adjacent to the external spaces serving the Tyndale School. The provision of substantial planting within this area was advised by Officers as a means of potentially reducing overlooking of the school grounds from the northernmost of the central three storey apartment blocks (A and B). Revisions have also been made to the proposed planting along the northern boundary to include a beech hedge and mix of trees which would provide summer and winter cover through increased density, branch structure and evergreen elements. Matters relating to overlooking of the school were considered in depth under the outline planning application and it was considered that the siting of the proposed apartment buildings was acceptable in amenity terms and compliant with policy H14 of the Oxford Local Plan. The landscaping strategy as proposed within this reserved matters application would further limit overlooking of the school grounds.
- 2.5. For the reasons outlined within this report, officers consider that this reserved matters application is acceptable and accords with the relevant provisions of the Oxford Local Plan 2016-2036 and the NPPF. Officers recommend approval of the application subject to the relevant conditions outlined in Section 12 of this report.

3. LEGAL AGREEMENT

3.1. Planning application 18/03330/OUT was subject to a legal agreement which covered the following matters. This reserved matters application does not involve any variation to the matters agreed under this Section 106 agreement. The completed legal agreement included the following obligations:

- The provision of a financial contribution of £600,000 towards off site sports provision in the local area.
- The provision of affordable housing on site.
- Travel plan monitoring fee.
- An obligation requiring the implementation of a footpath link between William Morris Close and Beresford Place.
- The provision of public open space.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for a CIL contribution.

5. SITE AND SURROUNDINGS

5.1. The site is located in Temple Cowley and comprises the former Sports Ground, which was previously part of the Morris Motors Social Club and an area of surface level parking associated with the sports facility. The sports ground which comprises of a grass pitch is not in active sports use and is enclosed with security fencing preventing public access.

5.2. The site is accessed principally from William Morris Close, which is a residential cul-de-sac that joins Barracks Lane to the north. There is a footway to the south west providing pedestrian access to Beresford Place and Crescent Road. This footway is not a public right of way but is currently open and is used as a pedestrian through route between William Morris Close and Beresford Place.

5.3. Tyndale Community School which is a two storey red brick building is located to the north of the site. The school was developed on part of the former Morris Motors Sports Club, reducing the size of previous sports facility. An area to the east and south east of the school building is used as outdoor play space by the school. A car park serving the school is located to the south of the main school building.

5.4. Another section of the sports ground to the north west of the site was redeveloped in the early 2000's for residential development which is currently William Morris Close. This development comprises three storey blocks of apartments and terraced houses of two and two and half storeys, constructed from red brick with pitched roofs. Beresford Place to the south is comprised of red brick and white rendered three storey flats of a similar appearance to the flats in William Morris Close. The shared outdoor amenity space of the flats extends up to the southern edge of the site. The rear balconies of these flats overlook the application site.

5.5. Crescent Close is located to the west of the site and the existing surface level car park. Development in Crescent Close is comprised of two storey dark brick 1970's properties. Crescent Road further to the south consists of more traditional mainly red brick terraces, with some modern infill development in the form of terraced houses and blocks of flats constructed from a red brick palette of materials.

5.6. The properties to the east of the site front Hollow Way and consist mainly of a mix of traditional and late 20th century houses generally comprising of small terraces and semi-detached pairs constructed from a mix of brick and render materials. The gardens of the residential dwellings on the western side of Hollow Way extend up to the boundary of the application site. Oxford Golf Club is located to the north of Barracks Lane and forms an extended area of green space.

5.7. The site does not fall within a Conservation Area; however the boundary of the Temple Cowley Conservation Area extends up to the southern side of Barracks Lane, around 50 metres to the south of the application site.

5.8. The site is devoid of significant natural features although there are trees to the south east of the site along the rear boundaries of the adjoining properties in Hollow Way.

5.9. The site block plan is shown below, indicating the proposed layout of the development.



6. PROPOSAL

6.1. This application relates to the submission of a proposed landscaping scheme, which is the solitary reserved matter relating to outline planning permission 18/03330/OUT. The outline planning permission, relates to the residential redevelopment of an existing sports pitch and surfaced parking area at William Morris Close to provide 86 dwellings, associated access, parking and the provision of public open space. Matters relating to the principle of development, access, appearance, layout and design were addressed under outline Planning Application 18/03330/OUT and are not matters to be reconsidered as part of this reserved matters application. The submitted landscaping scheme should also be

read in conjunction with planning application 20/01067/VAR, which involved minor variations to the approved layout and design of the buildings consented under the outline permission.

7. RELEVANT PLANNING HISTORY

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

<p>13/01096/FUL - Construction of two all-weather pitches, plus new residential development consisting of 6 x 1 bed, 15 x 2 bed, 15 x 3 bed and 4 x 4 bed residential units, 71 car parking spaces, access road and landscaping accessed off Barracks Lane (Amended plans)(Amended Description). Refused 18th September 2013 Appeal Dismissed.</p> <p>13/02500/OUT - Outline application (seeking access, appearance, layout and scale) for residential development consisting of 6 x 1-bed, 15 x 2-bed, 15 x 3-bed and 4 x 4-bed residential units, together with 70 car parking spaces, access road and informal recreation area. (Amended Description). Refused 11th December 2013.</p> <p>16/02651/OUT - Outline application with all matters reserved, seeking permission for 72 new affordable key worker dwellings, retention of and extension to existing parking area, together with private amenity space, access road, landscaping and new publicly accessible recreation space.. Refused 15th February 2017.</p> <p>17/01521/OUT - Outline application with all matters reserved for 83 affordable dwellings (1, 2 and 3 bed units) for occupation by key workers, with new access, landscaping and publicly accessible recreation space. Withdrawn 3rd October 2017.</p> <p>18/03330/OUT - Outline Planning Application (landscaping subject to reserved matters submission) for 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 – Approved</p> <p>20/01067/VAR - Variation of condition 3 (in accordance with the specifications) of planning permission 18/03330/OUT (Outline Planning Application (Precise landscaping scheme to form subject of detailed reserved matters submission) for 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.) to allow Blocks A-D to be reduced with modest alterations to the internal layout having implications position of windows serving habitable rooms and of balconies – Pending Consideration</p>

8. RELEVANT PLANNING POLICY

8.1. On the 8th June 2020 Oxford City Council adopted the Oxford Local Plan 2016-2036. The Oxford Local Plan 2036 now forms part of the statutory development plan, which means that it will have full weight in determining planning

applications. The former development framework including the Oxford Local Plan 2001-2016; Sites and Housing Plan; and Core Strategy are no longer afforded any weight in determining planning applications.

8.2. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Oxford Local Plan 2016-2036
Design	11, 12	DH1, DH2
Conservation/ Heritage	16	DH3, DH4, DH5
Housing	2, 5	H1, H2, H4, H10, H14, H15, H16, SP64
Natural environment	15	G2, G8
Social and community	8	G5, G7
Transport	9	M1, M2, M3, M4, M5
Environmental	11, 14	RE1, RE2, RE3, RE4, RE6, RE7

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 28th May 2020 and an advertisement was published in the Oxford Times newspaper on 21st May 2020.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. An initial objection was expressed regarding swept path tracking for refuse vehicles. Following the provision of updated vehicle tracking plans this objection has been removed. No objections are raised in relation to any other aspects of the submitted scheme.

Natural England

9.3. No objection subject to the provision of a SUD's maintenance plan as required under the outline planning permission.

Historic England

9.4. Do not wish to comment.

Thames Water

9.5. No comments received. Noted no objection to outline planning permission subject to conditions.

Public representations

9.6. No public comments have been received in relation to this reserved matters planning application.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Update on the principle of development
- Landscape Design
- Impact of proposed landscaping on designated heritage assets
- Impact of proposed landscaping on neighbouring amenity

Update on the principle of development

10.2. The principle of residential development on this site has been established following the approval of outline planning application 18/03330/OUT. The only update needed in relation to the principle of development is with regard to the newly adopted Local Plan with the outline consent being a material consideration with regard to the principle in any event. Planning application 18/03330/OUT was considered in relation to the site allocation policy SP66 of the then draft Oxford Local Plan 2036 (William Morris Close Sports Ground). At the time that the application was considered by the East Area and Planning Review Committees, this policy was afforded limited weight, as the Local Plan had yet to undergo examination. The site has since been included as an allocated site in the recently adopted Oxford Local Plan under Policy SP64. The specific provisions of the policy allow for residential development on the site and the provision of public open space, subject to compensatory sports provision to account for the loss of the sports pitch. Policy SP64, requires that a minimum of 82 homes shall be provided on the site. 86 homes were permitted under the outline planning application which exceeds this minimum requirement. The proposals would therefore comply with the requirements of Policy SP64.

Landscape Design

10.3. Policy G8 of the Oxford Local Plan 2016-2036 states that Development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate. This applies to protected and unprotected Green Infrastructure features, such as hedgerows, trees and small public green spaces.

- 10.4. The subtext to Policy DH1 of the Oxford Local Plan (High Quality Design and Placemaking) highlights that good quality landscaping is a fundamental part of successful outdoor spaces. It is essential that landscape schemes/designs are evolved alongside architectural designs to ensure that there is a strong relationship between buildings and spaces. Trees and plants are important elements of any landscape scheme as they provide visual interest, adding colours, shapes and textures that provide a foil to buildings, helping to frame outside spaces and make them more attractive. The careful choice of hard surface materials can have a big impact on the success and overall quality of outdoor spaces impact on neighbouring amenity.
- 10.5. The submitted soft landscaping scheme includes significant tree planting across the site within the public realm including the areas of public open space adjacent to William Morris Close. Significant additional planting is proposed along the northern boundary of the site and where possible between the parking bays, which softens the visual impact of these frontal areas of car parking. The surrounding developed areas, particularly the recent developments in Beresford Place and William Morris Close are somewhat hard in visual terms and lacking in soft landscaping and trees. The proposed provision of a significant number of trees would provide an enhancement to the public realm and would provide a green backdrop in views from William Morris Close. Important existing trees along the south and western boundaries would also be retained and would be protected by condition.
- 10.6. Policy G8 and site specific Policy SP64 requires that 10% of the total site area is allocated as public open space. It is proposed that 17% of the total area of the application site would be public open space. This was approved under the outline planning permission is secured under the legal agreement relating to this consent. The area of public open space would be sited at the end of William Morris Close to the west of the central apartment blocks. The submitted landscaping plan, indicates that this would be an open area of grass, with surrounding tree planting with a small amount of play equipment to the centre of the site. The approach proposed is considered acceptable in visual terms and the open nature of the public space would mean that this has functional value to existing and future residents.
- 10.7. In terms of hard landscaping the new access roads serving the apartments and houses 7 to 14 would be surfaced using permeable block paving, which would be visually more attractive than the existing tarmac surfacing used in William Morris Close. The area of the site, where the access serving houses 1 to 7 would be sited is presently a tarmac surface and would remain as asphalt or tarmac surface, this is however an extension of William Morris Close which is surfaced in this manner so this would not appear out of place in visual terms and is considered acceptable on balance.
- 10.8. The submitted landscape strategy is considered to be acceptable in urban design and visual terms and would comply with Policies G8 and DH1 of the Oxford Local Plan.

Impact of landscape proposals on designated heritage assets

- 10.9. The Temple Cowley Conservation Area extends to a position approximately 60 metres to the south of the site adjacent to the junction of Crescent Road and Junction Road. Whilst the site falls outside of the designated Conservation Area the development site would broadly fall within the setting of the Conservation Area.
- 10.10. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." As the development would not be located within the Conservation Area itself, it is worth noting that this provision is not expressly engaged, however as the site is within the setting of the Conservation Area and development may impact on its significance it is appropriate to give this due weight.
- 10.11. For development within the setting of Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area's architectural or historic significance. Paragraph 193 of the NPPF requires that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. In terms of development which affects the setting of Conservation Areas Policy DH3 of the Oxford Local Plan states that for all planning decisions for planning permission or listed building consent affecting the significance of designated heritage assets, great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance).
- 10.12. The impact of the built form proposed on the site has already been assessed in terms of the impact on the significance of the Temple Cowley Conservation Area. Views of the application site from the Conservation Area are highly limited owing to the presence of existing buildings along the northern side of Crescent Road, Crescent Close and the development at Beresford Place. It was concluded that the approved development (18/03330/OUT) would not be visible from within the setting of the Conservation Area other than in possible glimpsed views between existing buildings. The proposed landscaping is unlikely to be perceived to any extent in views from within the Conservation Area. The overall impact of the proposals on the significance of the Conservation Area would be negligible and the proposals preserve the setting and significance of the Conservation Area and would not result in harm to this heritage asset. The landscaping scheme proposed is therefore acceptable when assessed in relation to Policy DH3 of the Oxford Local Plan 2016-2036 and Paragraph 193 of the NPPF.

Impact of landscaping proposals on neighbouring amenity

- 10.13. Concerns were expressed in a number of the representations made in relation to planning application 18/03330/OUT regarding overlooking of the adjacent

Tyndale School from three of the northernmost apartment blocks, these being two of the central blocks (Blocks A and B) and Block E in the north east corner of the site.

- 10.14. Policy H14 of the Oxford Local Plan 2036 requires that all planning applications must consider the degree to which developments overlook neighbouring properties and consideration must be given to existing uses, where there are likely to be safeguarding concerns, specifically in relation to schools. The building in the north east corner of the site (Block E) has four windows in the north elevation overlooking the school at first and second floor level. Two of these windows serve bathrooms, whilst the other two windows are small, secondary windows serving kitchen and living spaces. All of the north elevation windows were conditioned to be fitted with obscure glazing under planning application 18/03330/OUT, therefore preventing direct overlooking of the adjacent school. There is a significant separation distance of 18 metres between the north facing sets of windows serving the first and second floor apartments in Blocks A and B and the boundary with the school.
- 10.15. Matters relating to the siting of the proposed buildings and resulting overlooking of the school grounds were considered under the outline planning application and it was considered there would not be unacceptable overlooking of the school as a result of the approved outline scheme. It should be made clear that the provision of dense landscaping is not required in order to make the proposed development acceptable in amenity terms, however this reserved matters application offers further opportunity to provide additional screening of the school through substantial planting adjacent to the northern boundary of the site. The soft landscaping plan submitted under this reserved matters application shows thick boundary planting along the northern boundary consisting of trees and a beech hedgerow.
- 10.16. A revised soft landscaping scheme submitted includes a mix of holly, alder, fastigate hornbeam and birch providing summer and winter cover through branch structure, evergreen component and increased planting density. The hedge species mix has also been revised to include a significant proportion of beech for winter leaf cover.
- 10.17. In conjunction with the relatively significant separation distance of 18 metres between the north facing sets of windows serving the first and second floor apartments in Blocks A and B and the boundary with the school and relevant conditions requiring the fitting of obscure glazing and privacy screens to facing windows and balconies, the submitted landscaping scheme would help to limit potential or perceived overlooking of the outdoor amenity spaces associated with the adjacent Tyndale School.
- 10.18. The existing trees to the south and east of the site would be retained which would retain a level of screening limiting overlooking of the rear amenity spaces of the surrounding properties. This was a matter considered under the outline planning permission when considering the siting of Block F and houses 7 to 14. It should also be noted that the dwellings to the west of the site, which front Hollow Way have deep rear gardens and accounting for the relative separation distance between the proposed dwellings and these existing properties it is considered

that these dwellings would not be unacceptably overlooked. The retention of the existing southern and eastern boundary trees would be secured by planning condition.

- 10.19. Taking all the above matters into consideration, it is considered that the proposed landscaping would assist in limiting overlooking of the adjacent school and surrounding residential properties, in line with the provisions of Policy H14 of the Oxford Local Plan.

Other Matters

- 10.20. There would be no alterations to vehicular access arrangements as a result of the proposed landscaping. Swept path drawings have been submitted demonstrating that sufficient space still exists on site for refuse vehicles to turn which have been assessed by the County Council as statutory highways consultee and are considered acceptable. The proposed landscaping therefore maintains the position that the site will be served by adequate access arrangements and does not affect the access and all matters relating to it previously considered and approved under the outline consent.

- 10.21. Matters relating to drainage and the prevention of surface water flooding were considered under the outline planning application. The overall landscaping strategy proposed under this reserved matters application would not vary significantly compared with the indicative outline plans in terms of the quantity of hard surfacing and areas of soft landscaping. The site is located in Flood Zone 1 and is considered to be at a low overall risk of flooding. To protect biodiversity within the Lye Valley SSSI and to prevent surface water flooding as a result of the development, a surface water SUD's scheme for the site was requested by planning condition under the outline planning consent, which will include a maintenance scheme. The development is therefore considered to comply with Policies RE3 and RE4 of the Oxford Local Plan 2016-2036.

- 10.22. Matters relating to ecology on the site were also considered under the outline planning application and the proposed landscaping measures would not impact adversely on biodiversity. The proposals are therefore considered to be compliant with Policy G2 of the Oxford Local Plan 2016-2036. Permission would be subject to appropriate conditions to secure adequate ecological mitigation and enhancement on site.

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 accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or

the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 11.3. This reserved matters application relates solely to the provision of a landscaping scheme for the redevelopment of the former sports pitch at William Morris Close to provide a total of 86 dwellings. The proposed landscaping strategy is considered acceptable in visual and urban design terms and would appropriately address the private amenity spaces and areas of public open space within the development site and includes the provision of significant additional tree planting which would be of benefit the overall character of the area and surrounding public realm. In this respect the development complies with the requirements of Policies G8 and DH1 of the Oxford Local Plan.
- 11.4. The proposed landscaping scheme offers the opportunity to limit potential overlooking of the Tyndale School through selected species planting which would provide dense screening and cover in the summer and winter months. The soft landscaping strategy includes the retention of existing important trees along the southern and western boundary, which contribute to the character of the area and provide screening of existing residential properties. It is considered that the submitted landscaping scheme would be of benefit in protecting the privacy of adjacent residential occupiers and would assist in preventing overlooking of the school, therefore the proposals would comply with Policy H14 of the Oxford Local Plan 2016-2031.
- 11.5. It is recommended that the Committee resolve to approve the reserved matters application for landscaping subject to the conditions set out in section 12 below.

12. CONDITIONS

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

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

2. 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 approved details shall be implemented and adhered to during the construction phase and thereafter.

Reason: To avoid damage to the roots of retained trees. In accordance with policy G8 of the Oxford Local Plan 2016-2036

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

Reason: To avoid damage to the roots of retained trees, in in accordance with the requirements of policy G8 of the Oxford Local Plan 2016-2036

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

Reason: To protect retained trees during construction in accordance with Policy G8 of the Oxford Local Plan 2016-2036

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

Reason: To protect retained trees during construction. In accordance with Policy G8 of the Oxford Local Plan 2016-2036

6. The landscaping proposals as detailed in the plans accompanying this reserved matters application 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 DH1 and G8 of the Oxford Local Plan 2016-2036

13. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – Approved Outline Site Plan
- **Appendix 3** – Report to November 2019 East Area Planning Committee.

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Appendix 1 – Proposed Site Plan



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Appendix 2 – Approved Outline Site Plan (18/03330/OUT)



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Application number:	18/03330/OUT		
Decision due by	21 st March 2019		
Extension of time	TBA		
Proposal	Outline Planning Application (landscaping subject to reserved matters submission) for 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		
Site address	Former Sportsground , William Morris Close, Oxford, OX4 2JX – see Appendix 1 for site plan		
Ward	Cowley Marsh		
Case officer	Michael Kemp		
Agent:	Mr Simon Sharp	Applicant:	Cantay Estates Ltd
Reason at Committee	The proposals are a major application		

1. RECOMMENDATION

1.1. The 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 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.

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 the redevelopment of a 1.24 hectare site located within Temple Cowley, the site comprises a former sports ground and surface level car park at William Morris Close. The application is in outline form seeking approval of all matters relating to layout, scale, appearance, and means of access, and the only matter reserved for a later date is landscaping.
- 2.2. There is considerable planning history to the site, which includes three refused applications all of which were for residential development. Since the determination of these previous planning applications, the National Planning Policy Framework has been revised, and the site has also been allocated within the Council's Emerging Local Plan (Policy SP66). The revised National Planning Policy Framework is a material consideration in the determination of the application. However the policies of the Emerging Local Plan can be afforded only limited weight at the current time given that the Emerging Local Plan has not completed its examination and has not therefore yet been adopted.
- 2.3. This application was previously brought before members of the East Area Planning Committee on the 31st July 2019. Members expressed concerns in respect of issues relating to the transport/highways impacts of the development including traffic generation; overlooking of the adjacent Tyndale School and subsequent safeguarding concerns; in addition to the scale and density of development. Members resolved that a decision on the application should be deferred to allow for further information to be provided in respect of the technical analysis of traffic movements and highways impacts; parking provision and the implications associated with overlooking of the school and how this may be addressed.
- 2.4. Following the committee meeting and subsequent discussions with your officers and Oxfordshire County Council Highways officers, the applicants have revised the development proposals, reducing the number of dwellings from 102 units to 86 units, an overall reduction of 16 units. This has been achieved through the removal of a storey from each of the central four apartment buildings. The parking provision on site has also been reduced to a total of 86 spaces from 102 spaces.
- 2.5. The site as an open air sports facility is afforded protection under the provisions of Policy SR2 of the Oxford Local Plan, As a requirement of this policy it is expected that suitable alternative provision is made to mitigate the loss of the sports facility. In this instance the loss would be mitigated through a financial contribution which would be used to secure the provision of a new sports facility or improve an alternative sports facility. This would be secured by a legal

agreement. The current proposal is that the financial contribution would be put towards enhancing existing sports facilities at St Gregory the Great school in Cowley. The existing sports pitch at William Morris Close is currently unused and has been unused for an extended period of time with public access restricted. Furthermore, the cumulative development of adjacent sections of the former sports ground has reduced the size and quality of the facility, restricting its usability. Taking these factors into account it is considered that the proposed financial contribution would provide adequate mitigation for the loss of the existing sports pitch.

- 2.6. The site exists as open space; though the sports pitch is not designated as an area of public open space under Policy SR5 of the Oxford Local Plan as the pitch has not been accessible for a considerable period of time and is a private facility. Notwithstanding this, the site provides an open aspect within a dense residential area and the site specific provisions outlined within the emerging allocation policy would require the provision of 10% of the site as open space. The proposal would seek to provide 17% of the site as public open space which would comfortably exceed that requirement and is considered to be of a high standard and suitably accessible for future residents and existing residents in the area.
- 2.7. In relation to the originally submitted proposals for 102 units officers considered that the cumulative impact of the traffic generated by the development would not have a severe impact on the function of the immediate highway network, this was supported by Oxfordshire County Council. It is understood that the surrounding roads have issues associated with on street parking and the area is not currently within a CPZ. Officers noted the concerns expressed by members at the previous committee held on the 31st July 2019 in respect of the cumulative impact of additional vehicular traffic and adequacy of the proposed parking provision. The reduction in the number of units from 102 to 86 dwellings and subsequent reduction in on-site parking would reduce traffic generation from the scheme and thereby lessen the impact on the surrounding road network from the originally submitted scheme which the Oxfordshire County Council considered to be acceptable in highway terms. The revised parking provision of 86 spaces, which equates to one space per unit would be below the adopted maximum standards outlined under Policy HP16 of the Sites and Housing Plan. The proposed parking provision is considered to achieve an appropriate balance between providing adequate parking in order to ensure that the development would not result in an accumulation of vehicles on the surrounding roads, whilst not amounting to overprovision, so as to minimise trip generation and levels of car ownership.
- 2.8. The general scale of the built form, density, design and layout of the revised scheme is considered to be commensurate with the character and appearance of the surrounding area. The scale and siting of the development accounting for the separation distance of the proposed dwellings in relation to existing properties is considered sufficient to adequately safeguard the amenities of neighbouring properties. The reduction in the height of the four central apartment buildings and revisions to the site layout would enable the provision of an effective landscaping scheme, to form part of a future reserved matters application which would further mitigate any overlooking of the adjacent school.

2.9. Officers consider that the principle of residential development on the site is acceptable as the loss of the existing sports pitch and open space provision would be appropriately mitigated through a financial contribution towards alternative sports provision and through securing that 17% of the site be made available as public open space. Officers consider that the development is acceptable in all of other aspects and recommend that the committee resolve to approve the application subject to a legal agreement covered in the following section of this report.

3. LEGAL AGREEMENT

3.1. This application is subject to a legal agreement to cover:

- The provision of on-site affordable housing at 50%.
- Financial contribution of £600,000 towards sports provision in the local area and a requirement for a community use agreement for the facility.
- The provision of Public Open Space.
- TRO and works to install parking controls on Barracks Lane and Travel plan monitoring. Oxfordshire County Council would be a party to this agreement.
- Secure that the proposed footpath link between William Morris Close and Barracks Lane is made available for public access.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal would be liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located in Temple Cowley and comprises the former Sports Ground, which was previously part of the Morris Motors Social Club and an area of surface level parking associated with the sports facility. The sports ground which comprises of a grass pitch is not in active sports use and is enclosed with security fencing preventing public access.

5.2. The site is accessed principally from William Morris Close, which is a residential cul-de-sac that joins Barracks Lane to the north. There is a footway to the south west providing pedestrian access to Beresford Place and Crescent Road. This footway is not a public right of way but is currently open and is used as a pedestrian through route between William Morris Close and Beresford Place.

5.3. Tyndale Community School which is a two storey red brick building is located to the north of the site. The school was developed on part of the former Morris Motors Sports Club, reducing the size of previous sports facility. An area to the east and south east of the school building is used as outdoor play space by the school. A car park serving the school is located to the south of the main school building.

- 5.4. Another section of the sports ground to the north west of the site was redeveloped in the early 2000's for residential development of which is currently William Morris Close, this development comprises three storey blocks of apartments and terraced houses of two and two and half storeys, constructed from red brick with pitched roofs. Beresford Place to the south is comprised of red brick and white rendered three storey flats of a similar appearance to the flats in William Morris Close. The shared outdoor amenity space of the flats extends up to the southern edge of the site. The rear balconies of these flats overlook the application site.
- 5.5. Crescent Close is located to the west of the site and the existing surface level car park. Development in Crescent Close is comprised of two storey dark brick 1970's properties. Crescent Road further to the south consists of more traditional mainly red brick terraces, with some modern infill development in the form of terraced houses and blocks of flats constructed from a red brick palette of materials.
- 5.6. The properties to the east of the site front Hollow Way and consist mainly of a mix of traditional and late 20th century houses generally comprising of small terraces and semi-detached pairs constructed from a mix of brick and render materials. The gardens of the residential dwellings on the western side of Hollow Way extend up to the boundary of the application site. Oxford Golf Club is located to the north of Barracks Lane and forms an extended area of green space.
- 5.7. The site does not fall within a Conservation Area; however the boundary of the Temple Cowley Conservation Area extends up to the southern side of Barracks Lane, around 50 metres to the south of the application site.
- 5.8. The site is devoid of significant natural features although there are trees to the south east of the site along the rear boundaries of the adjoining properties in Hollow Way.
- 5.9. The site block plan is shown below, indicating the proposed layout of the development.



6. PROPOSAL

- 6.1. The amended application is seeking outline planning permission for a residential development on the former sports pitch and associated car park comprising 86 residential units within 2x3 storey blocks, 4x 4 storey blocks and two sets of two and half storey terraced houses. This has been amended from the 102 units previously proposed. Landscaping is the sole matter which would be reserved. Vehicular access to the development would be via William Morris Close. The existing pedestrian access to the south of the development linking the site with Beresford Place and Crescent Road would be retained.
- 6.2. It is proposed that 17% of the site would be made available as public open space; this would be sited adjacent to William Morris Close to the west of the 4 storey blocks of flats. The applicant would not be providing alternative sports provision on the site, but proposes to mitigate its loss through a financial contribution of £600,000 towards off-site sports provision. The preferred option for this contribution following discussions with the Council's Leisure Services would be for the contribution to be spent on enhancements to the existing sports facilities at St Gregory the Great School in Cowley. The financial contribution would be secured through a Section 106 legal agreement. A community use agreement would also be required in order to ensure that public access to this facility is secured.
- 6.3. The proposal would provide 86 dwellings, 43 of which (50%) would be available as affordable housing, with 34 dwellings (79%) of these affordable units being made available as socially rented accommodation, 9 dwellings (21%) would be available as shared ownership affordable housing. The remainder of the units would be privately rented accommodation.

6.4. Vehicular access to the site would be provided via William Morris Close. The development would be served by a total of 86 parking spaces. Each of the houses would be served with allocated parking, whilst the apartments would be provided with unallocated spaces, which includes visitor and disabled parking. The development would also be served by a car club parking space.

7. RELEVANT PLANNING HISTORY

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

13/01096/FUL - Construction of two all-weather pitches, plus new residential development consisting of 6 x 1 bed, 15 x 2 bed, 15 x 3 bed and 4 x 4 bed residential units, 71 car parking spaces, access road and landscaping accessed off Barracks Lane (Amended plans)(Amended Description). Refused 18th September 2013 Appeal Dismissed.
13/02500/OUT - Outline application (seeking access, appearance, layout and scale) for residential development consisting of 6 x 1-bed, 15 x 2-bed, 15 x 3-bed and 4 x 4-bed residential units, together with 70 car parking spaces, access road and informal recreation area. (Amended Description). Refused 11th December 2013.
16/02651/OUT - Outline application with all matters reserved, seeking permission for 72 new affordable key worker dwellings, retention of and extension to existing parking area, together with private amenity space, access road, landscaping and new publicly accessible recreation space.. Refused 15th February 2017.
17/01521/OUT - Outline application with all matters reserved for 83 affordable dwellings (1, 2 and 3 bed units) for occupation by key workers, with new access, landscaping and publicly accessible recreation space.. Withdrawn 3rd October 2017.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Emerging Local Plan 2036
Design	11, 12	CP1 CP6 CP8 CP9 CP10 CP11 CP13	CS18_		DH1 DH2 DH5

Conservation/ Heritage	16	HE2 HE7 HE9			
Housing	2, 5		CS22_ CS23_ CS24_	HP2_ HP3_ HP9_ HP12_ HP13_ HP14_	H1 H2 H4 H10 H14 H15 H16 SP66
Natural environment	15	CP18 NE15 NE21 NE23	CS9_ CS11_ CS12_ CS21_		RE1 RE2 RE3 RE4 RE6 RE7 G2
Social and community	8	SR2 SR5	CS17_		G5 G7
Transport	9	TR1 TR2 SR9 SR10	CS13_ CS14_	HP15_ HP16_	M1 M2 M3 M4 M5
Environmental	11, 14	CP22	CS10_ CS2_		
Miscellaneous		CP.13 CP.24 CP.25		MP1	

9. CONSULTATION RESPONSES

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

9.2. The application was re-advertised by site notice on 27th June 2019 and an advertisement was published in the Oxford Times newspaper also on 27th June 2019.

9.3. The application was revised in September 2019 and the description of development amended to reflect the amendments. The application was subsequently re-advertised by site notice on the 16th September 2019 and in the Oxford Times newspaper.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways) – Revised Response (October 2019)

9.4. This level of traffic generation is slightly higher than that assessed previously with the various proposals, however cannot be identified to cause 'severe harm'

in the context of the NPPF on the operation of Barracks Lane or the Barracks Lane / Hollow Way / Horspath Road junction.

- 9.5. The implementation of parking restrictions along Barracks Lane is required in order to address issues associated with vehicular parking. Funding would be secured through a Section 106 agreement.
- 9.6. It is proposed to provide a total of 86 car parking spaces on site. Fourteen spaces would be allocated at one space per house and 72 spaces would be unallocated. This level of provision is in accordance with adopted standards.
- 9.7. The County Council is concerned that the car park for the development could be misused for parking which is not related to the development. Therefore, a suitably worded condition requiring a car park management plan has been requested.
- 9.8. A Controlled Parking Zone (CPZ) is planned for this area (Temple Cowley) and is currently in the Future Programme for CPZs. Due to lack of funding the Temple Cowley CPZ will not be taken forward at this stage, however, should funding become available it is expected this will be implemented in the future.
- 9.9. Until this point, Oxfordshire County Council has objected to the application on highways grounds for a number of reasons. In the last response dated 30th July 2019, the county council upheld their objection on cycle parking, however, following the reposition of the site access junction it has accepted that the required visibility splays could now be achieved.
- 9.10. The applicant has since redesigned the cycle parking layout to meet the requirements stated within this response. This shows that each house will have 3 cycle spaces either to the rear or front of the houses and the flats will have dedicated cycle stores which have been located close to the access to each block which will be beneficial to the users. All spaces are covered, secure and accessible and therefore this is accepted by the highway authority and as such, the objection has now been removed.
- 9.11. A revised travel plan is required and would be requested by condition.
- 9.12. Officer Response – For clarification the previously assessed proposals relate to the previous planning applications on the site for a lower quantum or development, as opposed to the original proposals submitted under this application for 102 Units. The other reasons referenced in Paragraph 9.9 refer to the proposed inadequacy of cycle parking previously proposed, in addition to concerns associated with the location of the proposed access junction between the development site and William Morris Close.

Oxfordshire County Council (Education and Property)

- 9.13. The demands that will be placed on local infrastructure and services have been assessed in accordance with the increase in population and its age profile, based upon the net number of dwellings and the notified mix. Should the application be amended or the development mix changed at a later date, the

County Council reserves the right to alter the above figures according to the nature of the amendment.

- 9.14. There is currently expected to be sufficient capacity at mainstream schools in the Oxford City area to accommodate this development, considering the planned new schools due to open within the next two years. There is an existing shortage of special education places, and in December 2018 the county council Cabinet approved a strategy to expand special school capacity, including the rebuilding and expansion of Northfield School in Oxford. The cumulative impact of housing development within the city will increase the need for special school places, and community infrastructure levy funding would be expected to contribute to the cost of this expansion.

Thames Water

- 9.15. Request conditions to deal with surface water and foul drainage capacity issues in the area.

Natural England

- 9.16. We consider that without appropriate mitigation the application would: damage or destroy the interest features for which Lye Valley Site of Special Scientific Interest (SSSI) has been notified.
- 9.17. In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured: The applicant should provide a SUDS maintenance plan which will detail how the proposed SUDS will be maintained in perpetuity. Existing infiltration rates need to be maintained now and in perpetuity to ensure no damage to Lye Valley SSSI.
- 9.18. Advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Sport England

- 9.19. The proposal is for housing which will completely remove the playing field. There has been a previous planning application on this site where we did object due to a lack of replacement facilities/mitigation or justification for the loss in relation to our planning policies and the National Planning Policy Framework.
- 9.20. The applicants have offered a mitigation of £600,000 towards replacement facilities, which to my mind would meet our planning policy exception E4 and the NPPF paragraph 97. This is supported by the Football Association and the Football Foundation. Oxford City Council are currently refreshing their Playing Pitch Strategy and once it is complete, the City Council will be able identify the site(s) where the mitigation sum can be best used to provide sporting opportunities for the residents of Oxford.
- 9.21. Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to broadly meet exception E4 of the above policy.

9.22. Sport England had no further comments to make regarding the amended plans.

Oxford Civic Society

9.23. Oxford Civic Society raised concerns in relation to the original proposals including the adequacy of the recreation space, extent of car parking, impact of traffic on the adjacent Tynedale Community School, design aspects and cycle parking and bin storage.

9.24. Following the submission of the revised plans OCS commented that the present application seems to have reached a stage where it may be acceptable provided several remaining issues can be satisfactorily resolved. The contentious issue of provision of a sports facility may be approaching resolution in that it appears agreement may have been reached to fund an alternative sports pitch at Oxford Spires Academy.

9.25. Design issues too, may be approaching resolution although OCS note that the Oxford Design Review Panel has commented that the “low quality urban design and architecture in the site’s immediate vicinity” astound spur the applicant to make sure that this development has “its own distinctive character “. The siting of the cycle stores requires further improvement. The landscape character is not to be decided in this outline application but still require to be carefully assessed if this progresses to a full application for reserved matters.

9.26. OCS hope that this site will shortly be developed in a way which achieves a good quality design and resolves the outstanding issues of sports provision, cycle store location and achieves a high quality distinctive character of its own. This could make a helpful contribution to meeting housing need in the city and bring back into constructive use a site that has been neglected for too long.

9.27. Officer’s response – Section 9.24 of the OCS response references that an agreement may have been reached to fund a sports pitch at Oxford Spires Academy. This is not accurate as the provisional proposals are to fund improvements to the sports pitches at St Gregory the Great school. This is explained in further depth in the later sections of this report.

Thames Valley Police

9.28. Do not wish to object to the proposals. However some aspects of the design and layout are problematic in crime prevention design terms. Recommend a condition to achieve secured by design accreditation.

Historic England

9.29. Do not wish to comment.

Public representations

9.30. A total of 84 representations were received in relation to the original proposals from the following addresses in Hollow Way, Anemone Close, Glebelands, White Road, Benson Road, Manor Drive, Owens Way, Fern Hill Road, Addison Road,

Horspath Road, Raymund Road, Turner Drive, Yeats Close, Cranmer Road, Dene Road, Manor Drive, Townsend Square, Ridgefield Road, The Slade, Wilkins, Bulan Road, Glanville Road, Town Furze, Oliver Road, Wharton Road, The Sycamores (Cambridge), Gaisford Road, Beresford Place, Morrell Avenue, Barracks Lane, Beech Road, Cranmer Road, Crescent Road, Florence Park Road, Inott Furze, Knolles Road, Maidcroft Road, Ringwood Road, Selwyn Crescent (Abingdon), Stanway Road, Temple Road, Territorial Road, Troy Close, Don Bosco Close, Leafield Road, William Morris Close, Junction Road, Badgers Walk and Bennett Crescent.

9.31. The comments received are summarised into the following categories:

Principle of Development, Loss of Playing Fields, Open Space and Sports Facility

- The site should be retained as a playing field to serve the health and well-being of the local community.
- The site should be used as a community centre or social club.
- The site could be used as a playpark for the adjacent school.
- The sports pitch should be returned to its original use.
- The site is protected open space and should not be developed.
- The site would not be surplus to sports use. The proposed financial contribution would not compensate for this loss and may not benefit the local community.
- The site is not allocated for development in the Sites and Housing Plan.
- The site would be currently used as a sports facility if a fence had not been erected obstructing access.
- Oxford and Cowley are lacking in sports infrastructure and open space consideration is not given to the requirement for sporting facilities.
- Proposing replacement recreation facilities is inadequate and unacceptable.
- Housing need and provision should not override all other considerations.
- The development is contrary to Policy CS2 of the Core Strategy as the site is not allocated for development.
- The site is greenfield land and should remain undeveloped.
- Affordable housing provision would be lower than the local plan requirements.

Privacy, overlooking and Amenity

- Development would block light to the rear gardens in Hollow Way.
- The proposed dwellings would be too close to existing properties in the area.
- The development would overlook the flats in Beresford Place resulting in a loss of privacy for the occupiers of these properties.
- Insufficient detail is provided in respect of the overshadowing of existing properties.

Design Layout and Siting

- Proposals would be an overdevelopment of the site.
- There would be a lack of green open space.
- The development would be bulky, overbearing and unneighbourly.

Parking, Access and Highways

- The development should be car free as the site is in a sustainable location.
- The development would result in traffic congestion.
- Generation of traffic would result in safety issues for road users and pedestrians particularly given the proximity to Tyndale School.
- Additional traffic congestion would be detrimental to adjoining residents.
- The proposals would further issues associated with parking in the surrounding roads.
- Impact on traffic congestion has been underestimated in the transport statement.
- Additional traffic generation would create pollution.
- Insufficient parking is proposed which will result in overspill parking.
- Residents are likely to be dependent on private vehicles in order to access local shops.
- The development will put pressure on road conditions in the immediate area.
- The development will result in congestion pressures in Crescent Road, Junction Road and Temple as these streets are currently used as a cut through.

Other Issues

- Part of the site should be used by Tyndale School.
- Development during construction would cause disruption to users of the school.
- Several respondents have raised safeguarding concerns associated with overlooking of Tyndale School.
- The surrounding area is being overdeveloped which is putting pressure on local services and facilities.
- Additional demand would be put on school places in the area.
- Insufficient detail is provided on air quality during construction phase.
- Surfacing the site would increase likelihood of surface water flooding.
- Affordable housing would be below policy compliant levels.
- The development and traffic generation would have a negative impact on air quality.

Comments made in support of proposals – 2 Representations

- Housing is much welcomed, Transport statement predicts low traffic generation and the sports facilities can be replaced elsewhere in the city.
- The development would provide much needed affordable and social housing.

County Councillor John Sanders made the following comments in relation to the original proposals:

With 210 bedrooms, i.e. 210-250 new residents, in an already overcrowded area thus putting a strain on existing overstretched local amenities.

I dispute the traffic figures produced for the development. Currently it is extremely difficult for residents of Barracks Lane, William Morris Close and Turner Close to drive out of Barracks Lane between 08:00 and 09:00 due to the heavy traffic for Tyndale School. On a typical weekday morning it can take 45 minutes to leave the Lane. It is not feasible for more traffic to leave the Lane during that time. Unless the development were deemed "Car Free" new residents could presume to park outside the site (after the proposed 86 spaces were full) causing even more congestion. It would be a serious congestion problem to allow any parking on or off site.

There is no daylight and sunlight impact assessment. These relatively tall buildings will cut out light from gardens on Hollow Way and Beresford Place and the fronts of the houses on William Morris Close. No impact has been assessed how much of the day these properties will be put in shadow during the year.

I note that the developer has offered to "improve" the playing field at Oxford Spires Academy in supposed mitigation for loss of the playing field amenity on site. However, this improvement does not increase the area of playing field at the Academy and therefore there would be a net loss of recreational area as the William Morris site would be lost.

Cowley Area Transport Group submitted the following comments in objection, these comments have been summarised as follows:

Tyndale school parents have already complained to their local councillors that they have trouble exiting from Barracks Lane onto Hollow Way at school run times. We have observed the phenomenon of traffic jams in Barracks Lane at school run times.

The presence of 88 unallocated parking spaces indicates that the major problem of this development will be the movements of vehicles to and from these spaces at school run and rush hour times. In consequence, the car free housing element of these housing units should be 100% in order to restrict any vehicle movements to public utilities, taxis and deliveries, if the City Council decides to permit this application at all.

Low levels of car ownership in Oxford do not justify confidence in no traffic impacts from this development.

A Controlled Parking Zone covering this area alone would not be adequate. If the development occurred at all, it should be car free and this requires that it is ringed by Controlled Parking Zones. Since it is consistent with the Local Transport Plan that Oxford should have uniform Controlled Parking Zones, it should be possible to introduce them to protect residents from unwanted vehicle parking.

Bike storage for 2 bikes for houses in this development assumes none of these homes become HMOs in the medium term. Since this is quite possible, bike storage would need to be larger. A completely car free development allows more space for cycle storage and indeed homes, on any given site of which car parks are a neglected resource in Oxford: it is possible to build around and above the surface level of private and public car parks to create the very low cost housing that is a primary social need in the City.

The Tyndale School has not reached its full capacity yet; second, projected traffic growth overtime – particularly for Hollow Way – needed to be considered and does not seem have been, preferably for the lifetime of the homes proposed.

Site sustainability: Assessment of this would need to include the planned lifetime of these homes and projected traffic increases over time. This is not provided.

A five year observation of a travel plan takes no account of the lifetime of the homes being constructed and projected traffic increases over that far more relevant period of time. Meaningful transport impacts of development require that the long-term be incorporated into planning considerations, not least because it can mean – as in this case – a planning application should be refused on long-term traffic grounds.

Air pollution: Not only should any parking allowed in this development have electric charging points, but this adds to the case for a car free development so that air quality around the Tyndale School is in no way worsened by such a development.

High risk of the Cambridge-Oxford Expressway taking an eastern route around Oxford: It is really remarkable that the Traffic Impacts considered do not include the Cambridge-Oxford Expressway.

Risk to cyclists making use of the shared-space sections of Barracks Lane, with pedestrians.

Junction capacity at Hollow Way: This does not, curiously, seem to have been tested and the slightly staggered nature of the junction with Horspath Road and Barracks Lane should have been a major consideration in ruling out traffic generating new development at the William Morris Recreation Ground..

The Climate Emergency: All planning applications should take into account the current UK legislation and goals on Climate Change.. This planning application mentions sustainable transport modes, but this does not ensure emissions reductions which are essential..

Bullington Community Association

Objected to the planning application on the following grounds, the comments are summarised below:

- Traffic: Traffic from the proposed 102 new housing units will use the existing William Morris Close to access Barracks Lane and then the main road - Hollow Way. Residents use this area as cyclists and motorists and it is the site of severe traffic congestion in rush hours. We reject any suggestion that parking spaces for local businesses on Hollow Way could be taken away to accommodate additional traffic as wholly unacceptable as it would almost certainly lead to the loss of local businesses that are valued by the community. The existing proposals, if implemented, will add to seriously problematic traffic congestion around the Tyndale community school, in William Morris Close, at start-finish times. We fail to see how

the City's support for an Air Pollution Charter is to be made meaningful by adding significantly to air pollution in this part of Oxford.

We do not find the Traffic Impact Statement associated with this planning application to be credible.

- Loss of Green Space: Neither the locals nor ourselves will support loss of green space. A re-opened site, since it is currently barricaded, would offer public open space to residents of Hollow Way, Crescent Close, Crescent Rd, Turner Close and William Morris Close. The Tyndale School is aiming to expand its intake. If the Tyndale school did want to enlarge its area of open green space, then some form of shared space arrangement for the Recreation Ground could be considered. For example, the Rec could be closed during the school day but be left accessible at other times;

Price: There is no affordable new housing for purchase in Oxford, or arguably in Oxfordshire, at current prices for homes. The primary demand for housing appears to us to be for very low cost housing since many households are unable to meet the difference between average incomes and mortgage costs at perhaps 16 times average incomes.

Other sites: As City Councillor Craig Simmons has previously initiated with the founder of Bed Zed, The City Council should be looking at car parks as potential apartment sites. We also commend any attempts the City may make which allow the formation of new Housing Cooperatives.

Energy and Climate Change: This Association notes that the proposals for this site assume that housing which is not Zero Carbon in both construction and operation is acceptable.

Space per person: We cannot see any evidence that the proposed housing will be adequate in space per person.

Sustainable Urban Drainage systems: Since this site is at the periphery of the catchment for the Lye Valley SSSI and nature reserve, we are concerned about how drainage in such a site will be maintained. The presence of permeable areas, and permeable pavers, is not guaranteed long-term.

The Bullingdon Community Association considers that these ecological concerns provide additional planning grounds for objection to ANY development on the William Morris Recreation Ground site and any re-zoning of this site for housing or any other development in future.

9.32. Following re-consultation on the amended proposals for 86 dwellings a further 43 representations have been received from members of the public from addresses in Maidcroft Road, Swinburne Road, Turner Close, Burshill Close, Abingdon Road, Crabtree Road, Fair View, Gaisford Road, Hollow Way, Manor Drive, Masons Road, Townsend Square, Troy Close, Turner Drive, Yeats Close, Dene Road, White Road, Town Furze, Teal Close, Lizmans Court, Leafield Road, Furlong Close, Cumberland Road, Crescent Road, Anemone Close, Norman Smith Road, Glanville Road, Blackstock Close, Cumberland Road,

Morrell Avenue and Ringwood Road. The public consultations responses can be summarised as follows:

- Plot size is insufficient to support the scale of development.
- Development would generate additional traffic and would be a risk to children at the adjacent school.
- Development would be overbearing when viewed from neighbouring properties.
- The proposals would have an adverse impact on the amenity of neighbouring properties.
- The development would overlook the Tynedale Community School and presents safeguarding risks.
- Development would be damaging for the welfare of children at the adjacent school.
- The car parking area has been used for dumping waste materials.
- The land should be used as a facility for the Tynedale School.
- The site should be used as a recreational space or sports pitch for the local community.
- Concerns about safeguarding from future occupation of the flats.
- The density of development proposed would be inappropriate.
- Development would put pressure on local services.
- There is insufficient green space within the area.
- Proposed alternative sports contribution would not be adequate as this is too distant from the site.

County Councillor John Sanders reiterated his objection to the application on the basis that the development was contrary to the Existing Local Plan and there were concerns in respect of parking and road safety. These concerns were also expressed by Councillors Arshad and Malik who both made representations on the amended proposals.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Loss of Sports Facility and suitability of alternative provision
- Loss of open space and re-provision
- Affordable Housing
- Mix of dwellings
- Design
- Neighbouring amenity
- Highways/access
- Ecology
- Drainage/Flooding

Principle of development

- 10.2. In light of the current stage in the examination process for the emerging Oxford Local Plan and the weight that can be attributed to its policy provisions, together with the requirements of Paragraph 11 of the revised NPPF 2019 and the consistency, or lack of consistency of the existing development plan with the NPPF, officers have clarified this section of the report from the previous report presented to members at the July 2019 East Area Planning Committee. Notwithstanding this, officers would make members aware that the same conclusions have been reached to that put forward in the previous report in that the principle of redeveloping this site would accord with the aims of the National Planning Policy Framework.
- 10.3. In relation to the national planning policy requirements, Paragraph 59 of the NPPF requires that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed; that the needs of groups with specific housing requirements are addressed; and that land with permission is developed without unnecessary delay.
- 10.4. NPPF Paragraph 11 outlines the overarching requirement that in applying a presumption in favour of sustainable development Local Authorities should be approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 10.5. William Morris Close is principally a greenfield site consisting of a former sports pitch, but also includes a smaller area of hardstanding used for car parking. Policies CS2 and CS22 of the Core Strategy outline the Council's adopted strategy relating to the spatial delivery of housing in the city. Policy CS2 states that new development should be focused on previously developed land, with development only being permitted on Greenfield Land if it is specifically allocated for development in the local development framework; or in the case of residential development, it is required to maintain a rolling five year supply of housing, as outlined within Policy CS22. It is important to note that Policy CS2 of the Core Strategy pre-dates the NPPF and in accordance with Paragraphs 11 and 213 of the NPPF, the policy should be considered in relation to its relative consistency (or lack of consistency) with the NPPF.
- 10.6. Policy CS2 adopts a sequential approach to developing land within the city, and as stated is restrictive of developing greenfield sites unless in specified circumstances and applies a brownfield first approach. This approach is inconsistent with the NPPF. Although the NPPF promotes the use of previously developed brownfield sites and gives substantial weight towards the re-use of

such sites (Paragraphs 117 and 118), the Framework does not require a 'brownfield first' approach to new development or presumption against the development of greenfield sites. The NPPF also does not specify that the principle of housing development on greenfield sites is only appropriate, if development is required to maintain a five year supply of housing. As a result, officers consider that Policy CS2 is not consistent with the approach outlined in the NPPF and should therefore be afforded limited weight in the determination of this application as the provisions of this policy would prevent the bringing forward of an otherwise sustainable and under-used greenfield site. The site also includes a small area of previously developed land which is redundant car parking land, whose development would accord with the requirements of Paragraph 117 and 118 of the NPPF.

- 10.7. The site is not allocated for housing use within the existing development framework, however the site forms an allocation within the Councils Draft Local Plan under Policy SP66 (William Morris Close Sports Ground). The site specific policy provisions of Policy SP66 outline that permission will be granted for residential development and public open space on the application site on the condition that either the playing pitch is retained; or alternative sports provision is made, whereby the City Council are satisfied that alternative provision can be delivered. It is also required that a least 10% of the new development is allocated as public open space, which must be welcoming to existing residents.
- 10.8. The current submission draft of the emerging local plan was adopted by members in September 2018. Public consultation on the draft plan was carried out between 1st November and 28th December 2018. The Draft Oxford Local Plan 2036 was submitted for examination in March 2019, however the plan has yet to complete its examination and there remains unresolved objections in respect of policy SP66. Consequently in accordance with paragraph 48 of the Framework, the statutory weight given to the Draft Oxford Local Plan 2036, including Policy SP66, remains limited.
- 10.9. Officers have also considered whether or not determining this application would raise issues of prematurity. The Framework provides clear guidance on this matter and sets out in paragraph 49 that arguments relating to whether an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan. Officers consider that this site is not central to the strategy of the plan and do not consider that the grant of planning permission would act to undermine the plan making process. Therefore it is not considered to be premature for the Council to consider granting planning permission pursuant to the current application.
- 10.10. The NPPF places great emphasis on the Government's objective to significantly boost the supply of homes, recognising that this requires a sufficient amount and variety of land to come forward where it is needed, and that land with permission is developed without unnecessary delay (paragraph 59).

Moreover, local authorities should identify sites suitable for housing, including specific, deliverable sites for a five year period (paragraph 67).

- 10.11. The provision of 86 dwellings would make an important contribution towards Oxford's housing need, notably 43 of the dwellings would be affordable and there would be significant public benefits associated with this provision. There are a number of important material considerations associated with development on the site, which are considered in depth in the following sections of this report, however officers consider that the provisions of Policy CS2 of the Core Strategy should not restrict development on this site given the policy's clear inconsistency with the NPPF.

Loss of Sports Facility and Sports Provision

- 10.12. The existing pitch formed part of the Lord Nuffield Club; formerly the Morris Motors Club. The size and quality of the facility has diminished considerably since 2001. Planning approval was granted in 2004 for the redevelopment of the North West area of the site for housing, this included the retention of the Lord Nuffield Club building. At this time a community use agreement was in place to allow members of the public access to the facilities in the club house building, though this did not extend to the outdoor sports facilities including the sports field subject of this application, where access was restricted only to private members of the club.
- 10.13. In 2009 the Lord Nuffield Club closed leaving the clubhouse building vacant for a period of three years. A planning application was submitted for the redevelopment of the northern section of the site for what is now the Tyndale Community School. This reduced both the size of the sports facility, whilst the club buildings were also removed.
- 10.14. The site is afforded protection under Policy SR2 of the Oxford Local Plan (protection of open air sports facilities). Policy SR2 states that planning permission will only be granted where there is no need at all for the facility for the purposes of open space, sport or recreation, or where:
- a. there is a need for the development;
 - b. there are no alternative non-greenfield sites; and
 - c. the facility can be replaced by either i. providing an equivalent or improved replacement facility; or ii. upgrading an existing facility.
- 10.15. Paragraph 97 of the NPPF requires that: existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

- 10.16. Policy SR2 is broadly consistent with the NPPF in terms of the protection afforded to sports facilities and the requirement that alternative sports provision is made to at least an equivalent standard, though the NPPF would allow for the loss of existing sports facilities if they are deemed surplus to requirements. Officers consider that the sports pitch, though diminished in size and quality would not be surplus to requirements as the pitch still has an identified potential to accommodate sports use, namely football albeit that this potential is limited. It would in officers view be correct that the loss of the sports pitch is compensated.
- 10.17. It should be noted that Paragraph 97 of the NPPF does not require a need to demonstrate availability of non-greenfield sites when considering developments which would result in the loss of open air sports facilities. This element of Policy SR2 should not therefore be afforded weight in determining development on this site. Nevertheless, there is an objectively assessed need for the development in terms of the requirement to provide additional housing in the city, in particular affordable housing. The housing trajectory within the Emerging Local Plan assesses all sites in the city which have capacity to deliver residential development in order actively assess how Oxford's housing needs can be adequately met. As part of this assessment it is necessary to consider non-previously developed greenfield sites given the limited identified number of previously developed sites within the city.
- 10.18. Policy SP66 of the Emerging Local Plan specifies that the playing pitch at William Morris Close must be retained unless alternative sports provision is made and the City Council can be satisfied that this can be delivered. The subtext to this policy states that the loss of the majority of the sports facility is justified because of the identified housing need. It is specified that sports provision must be retained on site unless alternative provision is made or contributions are made to improving a local facility such that the capacity increase and extent of the improvements are sufficient to outweigh the loss of the sports pitch.
- 10.19. Policy G5 of the Draft Local Plan reflects the policy requirements of Paragraph 97 of the NPPF in terms of the need to compensate the loss of existing sports facilities in terms of quantity and quality. Policy G5 requires that replacement provision should be provided in a suitable location which is equally or more accessible by walking, cycling or public transport access and specifies that where the opportunity arises public access to private facilities should be secured.
- 10.20. The matter of alternative sports provision was considered in depth as part of the appeal against the refusal of planning application 13/01096/FUL, which similarly related to the redevelopment of the site for residential use. This particular application was refused partly on the basis that the proposed sports provision, which as proposed would have consisted of all-weather mini sports pitches, was inadequate and public access would be restricted. The committee report for 13/01096/FUL specifically addressed this issue:

"The application site has been in use for formal and informal sport and recreation until recently. Although the site is now fenced it has not been clearly shown that the site is surplus to requirements for sport or recreation. The site retains the potential to provide for types of open air sport and recreation for which there is a

need in the City. The replacement sports facilities in the form of all-weather mini-pitches with restricted community access are not equal to or better than retaining the potential of the site to provide for open air sport and recreation. Further it is not essential that the all-weather mini-pitches are provided on this particular site to satisfy local need”

- 10.21. The present planning application does not directly propose the provision of a replacement facility on site. The applicant has instead proposed a financial contribution of £600,000 towards either the provision of a new sports facility in East Oxford within close proximity to the site, or the upgrade of an existing facility or facilities. The applicant proposes that the financial contribution would be made to Oxford City Council, which would be secured through a Section 106 agreement. The applicant has indicated that it would be supportive of the legal agreement being worded in such a way that development may not commence on the site until such time as the financial contribution has been made and until such time as a project(s) has been specifically identified and the funds allocated to a project. This would also be contingent on a community use agreement being in place. Sport England has raised no objection in principle to the provision of a financial contribution of £600,000 providing that this would be spent on providing a suitable alternative facility or improvements to an existing facility. In principle Sport England consider that this would not conflict with NPPF Paragraph 97.
- 10.22. Officers consider that a financial contribution would be acceptable in principle; however this would be dependent on whether delivery of equivalent or enhanced provision can feasibly be delivered in a location which is accessible and benefits the local community in this instance in the Temple Cowley area. The subtext to Policy SR2 of the Oxford Local Plan outlines that alternative sports provision should be of equivalent or improved community benefit in terms of size, utility and access, and should not lead to a shortage of recreation or amenity space in the local area. In suitable circumstances, the alternative provision could be in the form of significant improvements to existing outdoor sports facilities, such as the provision of changing facilities, improved drainage or an all-weather surface, which would enable it to be more intensively used as an all-weather facility.
- 10.23. A similar requirement is outlined within Policy G5 of the Emerging Local Plan. In terms of accessibility it is stated that: Any replacement provision should be provided in a suitable location equally or more accessible by walking, cycling and public transport, and accessible to local users of the existing site where relevant. Policy G5 also outlines that consideration will be given to the need for different types of sports pitches as identified in the Playing Pitch Study.
- 10.24. A new Playing Pitch Strategy for Oxford has been prepared as part of the evidence base to support the Emerging Local Plan. This provides evidence of the existing supply of sports facilities and demand, whilst also identifying where new facilities are required and where existing facilities can be enhanced. The playing pitch strategy would form a basis on which the Council can identify existing facilities in the immediate area that could be upgraded or provided in an accessible distance for the local community in order to provide mitigation for the loss of the existing sports pitch at William Morris Close. In order to achieve significant public benefits and benefit the local community it would be expected that the financial contribution is commuted towards a facility which has public

access or which can be made publically accessible through a community use agreement.

- 10.25. It is important to consider the relative value of the sports pitch at William Morris Close. The sports pitch is a private facility which is not publically accessible and there is no mechanism available currently to require the current owners to secure public access to the pitch. The applicants have indicated that there is no active interest in a private operator bringing the site back into use as a sports facility, this is in part due to the limited size and quality of the facility and the site's limited capacity to accommodate a range of sports uses and the associated facilities that would be expected to support sports uses on the site. The City Council's Community Services team have indicated that there would be no interest from the Council's perspective in taking ownership of the site and reusing it for sports purposes given the limitations of the site.
- 10.26. The Sports and Open Space Supporting Statement submitted with the application indicates that site would be incapable of supporting its former use as a cricket pitch. Though the site was historically used for this purpose the gradual reduction in the size of the site following the partitioning of sections of the site for development means that it is no longer large enough to support a cricket use. Theoretically the pitch could accommodate football or rugby uses though any use for these purposes would be highly restricted given the overall size of the site which would not realistically allow for changing facilities. This would prevent use of the site for adult football or rugby, though it could still be used for junior sports, however the likelihood of this would be limited.
- 10.27. The applicant's proposed contribution of £600,000 is based on the cost of delivering a full size artificial 3G all weather sports facility. In terms of carrying capacity, an all-weather pitch ("AWP"), particularly if floodlit has the potential to be an enhancement on a natural grass pitch as this can be used for a much greater length of time, including in evenings. In addition artificial pitches have a more durable surface which unlike grass are not be damaged by regular daily use. The applicant has liaised with the Oxfordshire Football Association who has advised that there is a need for two additional full size 3G AWP's within the city. It is worth noting that the applicant is not directly proposing to develop a new full size 3G AWP football facility rather the sum of money is likely to be spent on the upgrade of an existing sports facility in consultation with the Council's Leisure Team. Notwithstanding this, the financial contribution would be equivalent to the cost of delivering a new AWP facility.
- 10.28. It is noted that on site provision of all-weather mini-pitches was proposed as part of a previous planning application on the site (13/01096/FUL) and was deemed inadequate. It is noted that the pitches proposed under this previous application were not of the standard of a full size 3G AWP, neither did the proposals make provision for community access or floodlighting, which would have greatly limited the capacity and usefulness of the pitches during the evenings, particularly during winter months.
- 10.29. The applicant's draft heads of terms for a Section 106 agreement outlines that the financial contribution of £600,000 as proposed would be provided to the City Council prior to the commencement of development. It is proposed that this

contribution would be spent on a project which would be specifically identified by the City Council in accordance with the findings of the playing pitch strategy in a location accessible to the local community in Temple Cowley and on a site where either a community use agreement is in place or where a community use agreement can be secured. In order to meet the requirements of Policy SR2 of the Existing Local Plan and Paragraph 97 of the NPPF it would be vital in that any financial contribution is commuted towards a project in the near vicinity of the site which is readily accessible.

- 10.30. The Interim Playing Pitch Strategy outlines local needs for specific sports and where a deficit exists in the provision of certain sports facilities and has informed the evidence base for the Emerging Local Plan. The Emerging Local Plan identifies that there are existing facilities in the vicinity of the site which require upgrading, this includes the all-weather surface at St Gregory the Great School in Cowley, which is approximately 1.3km from the site or approximately 17 minutes walking distance. Initially the proposals were to provide a new all-weather pitch facility at Oxford Spires, however the applicants were unable to reach an agreement with the landowner to provide a facility in this location.
- 10.31. The Council's Sports and Leisure Team have indicated that they would support a financial contribution towards the upgrade of the facility at St Gregory the Great School and consider that this would be realistic and deliverable and there is support from the school for the upgrading of the facility. Upgrade of the facility would be contingent on a community use agreement being secured to ensure public access; otherwise there would be insufficient public benefits. The Council's Sports and Leisure Services team have advised that securing a community use agreement is a realistic prospect as the school is supportive of this. The pitch at St Gregory the Great School has floodlighting, which ensures that the facility can be used in the evenings and in the winter months giving the facility a greater playing capacity than the existing grass pitch at William Morris Close.
- 10.32. It is worth noting that the suggested draft heads of terms would require that the funds are allocated to a specific project(s) in the immediate vicinity prior to the commencement of development. This would ensure that the funding is delivered and can be committed to a suitable project eliminating the risk that the development may be carried out without the funds being committed to a suitable project and therefore remaining unspent. Officers have explored other options in the immediate vicinity of the site but consider that in terms of carrying capacity, deliverability and the overall benefits which would be provided, that the improvements to the sports pitches at St Gregory the Great School represents the best means of providing alternative sports provision to offset the loss of the sports pitch at William Morris Close.
- 10.33. The provision of a financial contribution offers the basis to develop the existing facility at St Gregory the Great School to a high standard and provides a means of securing community access to this facility, which is not the case at the present time therefore this would bring a currently private pitch into public use. The present pitch at William Morris Close has no public access and is understood to have never benefitted from public access as this was a private sports facility and it is considered that there is limited likelihood, given the capacity of the pitch, that

this would be brought into use in the near future. Through the improvements to the existing facility which would be secured as part of the Section 106 financial contribution and through the facilitation of community access it is considered that the sports provision which would be secured would represent an enhancement on the existing sports provision at William Morris Close. Taking these factors into account the proposals are considered to be in accordance with Policy SR2 of the Existing Local Plan; Paragraph 97 of the NPPF and Paragraph G5 of the Emerging Local Plan. The proposal also accords with the provisions of site specific Policy SP66 of the Emerging Local Plan, albeit that this policy attracts only limited weight at this stage.

Loss of Open Space

10.34. Policy CS21 of the Core Strategy aims to protect and maintain publically accessible green space and should also be considered in conjunction with Policy SR5 of the Existing Local Plan. The land at William Morris Close is not afforded protection under Policy SR5 of the Oxford Local Plan, mainly as this is not publically accessible; notwithstanding this, the site still has value as an area of open space, the loss of which must be given due consideration and as referenced within the above section of this report, the site is afforded protection as a sports facility under SR2 of the Oxford Local Plan.

10.35. Policy CS21 of the Core Strategy states that other areas of open space will only be allocated for development if a need for the development of that land can be demonstrated, and if the open space is not required for the well-being of the community it serves.

10.36. The site is not afforded specific protection as an area of green infrastructure under the provisions of Emerging Local Plan Policy G2. Policy G7 of the Emerging Local Plan allows provision in exceptional circumstances for development on unprotected open spaces, though it is noted that this relates to unallocated sites and the site at William Morris Close is allocated under the provisions of Policy SP66 of the Emerging Local Plan. Policy G7 requires evidence to be provided demonstrating that:

- a) There is an exceptional need for the development that it can be demonstrated overrides the existing benefits it provides; and
- b) the development will bring benefits to the community, for example through delivery of community-led housing; and
- c) there are not suitable alternative sites where development could reasonably be located that would result in less or no harm; and
- d) the proposals will lead to improvements in biodiversity or amenity value; and
- e) consideration has been given to the layout of any proposed development in order to avoid impacts on biodiversity and any other important features of any green space within a development site, such as its contribution to townscape or the setting of a heritage asset;

- 10.37. Policy CS21 of the Core Strategy states that: opportunities will be sought for opening up access to new public spaces, for providing suitable new green spaces on or near to development sites, and for providing public access to private facilities.
- 10.38. The importance of providing open space within any new development at William Morris Close is acknowledged under the provisions of Policy SP66, which requires that any development on the site should provide at least 10% new public open space ("POS"), which should be sited to be welcoming to existing residents. It is worth noting that landscaping is a reserved matter; however the proposals allocate 17% of the site as an area of new public open space, which would exceed the minimum requirements of 10% POS specified under Emerging Local Plan Policy SP66.
- 10.39. The value of the site for sports and recreational use is addressed in the previous section of this report; however it is also important to consider the visual contribution that the site provides as an area of open space. The space in its current form provides a large and open green aspect within a relatively dense urban environment. This was acknowledged in the previous appeal on the site where the inspector commented on the site's value as an open vista, which was valued by local residents. It was considered in that appeal that the development, by reason of the introduction of built form into this space would result in some harm to the character and appearance of the area.
- 10.40. Though the provisions of the Emerging Local Plan and Policy SP66 can be afforded only limited weight, it is considered that the overriding need for housing, particularly affordable accommodation (43 units in this instance) would justify the principle of development on the site and the loss of what is an area of unprotected open space.
- 10.41. Officers would acknowledge that there would be some harm arising as a result of the loss of the existing open aspect which the space provides. The introduction of built form to the site would inevitably urbanise and increase the density of built form in the area, however the development would equally provide opportunity through the provision of landscaping and new open space to mitigate the impact of the additional built form. The proposed open space would also be publically accessible in contrast to the existing sports pitch which is fenced off with no requirement to allow public access onto the pitch. The proposed space would be useable and would have amenity and recreational value, albeit that the open vista would be diminished to an extent.
- 10.42. The public open space would be provided to the front of the central apartment blocks and to the south east of the existing properties in William Morris Close. Officers consider that this would be the optimum position for this space in terms of legibility for members of the public and accessibility from William Morris Close therefore maximising the likelihood that this space would be used. Officers are satisfied that the proposed open space would be of a high standard. The proposals include play facilities as well as general open amenity space and officers are satisfied that the space is useable and safe, as the design of both the houses and east facing elevations of the flats would provide active frontages to this space, providing natural overlooking.

- 10.43. When considering the inspector's comments relating to the previous application on the site (13/01096/FUL) it should be noted that this development was less sympathetic in terms of its treatment of the public realm and allocated only a small area of land to the south of the proposed all weather pitches as open space. In that instance public views from William Morris Close would have been dominated by the proposed built form and its siting which was poorly considered. Public views on the previous scheme would have been dominated by surfaced car parking and the proposed all weather pitches and associated fencing. In contrast the present proposals maintain as much as possible an open, green aspect in public views from William Morris Close, even accounting for the density of built form.
- 10.44. The proposals by virtue of the introduction of built form into what is currently an open undeveloped green space, would result in the loss of what is presently an open vista, though this would be somewhat mitigated through the provision of a new and prominent area of public open space. The loss of the existing open aspect and view must be considered alongside the public benefits of the scheme, in particular the provision of 86 additional dwellings, 43 of which would be available as affordable accommodation. There would also be benefits from facilitating public access to an area of open space, given that the existing site is not publically accessible at present and is of diminished quality and currently enclosed by boundary fencing. The proposals would include the provision of additional landscaping which would contribute positively to the visual amenities of the area, whereas the space at present is unkempt and unmanaged. On balance officers consider that the public benefits associated with the provision of the proposed housing, alongside the provision of a new landscaped area of open space would outweigh the harm resulting from the loss of open space in its present form. Officers therefore consider that the proposals would comply with the requirements of Policy CS21 of the Core Strategy, Policy SR5 of the Oxford Local Plan and Policies G2, G7 and SP66 of the Emerging Local Plan.

Affordable Housing

- 10.45. Policy HP3 of the Sites and Housing Plan and Policy CS24 of the Core Strategy specifies that Planning permission will only be granted for residential development on sites with capacity for 10 or more dwellings, or which have an area of 0.25 hectares or greater, if a minimum 50% of dwellings on the site are provided as affordable homes. In terms of the tenure split of affordable housing, it would be expected that 80% of these affordable units should be socially rented.
- 10.46. Socially rented accommodation is defined within the Council's Emerging Local Plan as Homes that are let at a level of rent set much lower than those charged on the open market. The rent will be calculated using the formula as defined in the Rent Standard Guidance of April 2015 (updated in May 2016) or its equivalent or replacement guidance (relevant at the time of the application). It serves as accommodation for those in the greatest housing need for persons who would typically be unable to afford to rent alternative accommodation. Intermediate housing or shared ownership accommodation is partly sold and partly rented to the occupiers, with a Registered Provider (normally a housing

association) being the landlord. Shared ownership housing should normally offer a maximum initial share of 25% of the open market value of the dwelling.

10.47. Of the revised number of 86 units proposed on the site it is intended that 43 of the units (50%) would be made available as affordable accommodation, the remaining 43 units (50%) would be private tenure. In terms of the affordable units it is proposed that the tenure split would be 79% socially rented, with 21% provided as shared ownership units. The percentage of socially rented units, as a proportion of the total number of units has increased from the previous proposals for 102 units, where 75% of the units were proposed as socially rented accommodation. The development therefore broadly complies with the required affordable tenure split specified under Policy HP3 of the Sites and Housing Plan. The tenure layout is dictated by the management requirements of the housing operator. It should be noted that A2 Dominion, who were previously indicated as the being the operator who would be undertaking the management of the site are unlikely to involved in the future management of the site, as the developers are understood to be considering a different operator for the private and affordable units.

10.48. The City Council's Housing team have indicated that they are supportive of the proposed mix of affordable accommodation; particularly the provision of seven larger socially rented units which will meet the need specific needs of families on the housing register.

Mix of dwellings

10.49. Policy CS23 of the Core Strategy states that new residential development should comply with the Balance of Dwellings Supplementary Planning Document (SPD) housing mix. The site is outside of the City Centre and does not fall within a district centre therefore column 2 of table 6 of the Balance of Dwellings SPD is applicable to the proposed development on this site.

Table 6: Mix for other strategic sites

Dwelling types	Sites of 25-74 dwellings (percentage range)	Sites of 75-249 dwellings (percentage range)	Sites of 250+ dwellings (percentage range)
1 bed	0-20 %	6-16 %	10-15 %
2 bed	10-35 %	20-30 %	25-30 %
3 bed	25-65 %	35-65 %	40-55 %
4+bed	5-20 %	6-17 %	10-15 %

10.50. The proposals would provide the following mix of units:

Unit Size (Bedrooms)	Number of Units	Percentage
1	16	18.6%
2	56	65.1%
3	7	8.1%
4	6	7%
5	1	1.2%

10.51. As a total provision the scheme would fail to comply with the BOD's SPD target mix. Notably there would be an overprovision of 2 bedroom units and under provision of 3 bedroom units.

10.52. The Council's Emerging Local Plan is afforded limited, but gradually increasing weight but nevertheless reflects the shifting direction on the target housing mix on larger housing sites of 25+ dwellings reflecting the need to make best use of sites to deliver an optimum number of dwellings. The provisions of Policy H4 of the Emerging Plan requires that for new developments of 25 or more units outside of the City Centre and District Centres, a mix of dwelling sizes be provided, though this would apply only to the affordable element.

10.53. The table below outlines the proposed delivery of affordable housing units within the application scheme compared with the target numbers outlined within Policy H4 of the Oxford Emerging Local Plan.

Unit Size (Bedrooms)	Number of Units	Percentage	Emerging Plan Policy H4 requirement
1	16	37.2%	20-30%
2	17	39.5%	30-40%
3	6	14%	20-40%
4	4	9.3%	5-10%
5	0	0%	3-5%

10.54. The figures above indicate that there would be an overprovision of one bedroom units and under provision of three bedroom units in comparison to the requirements of Policy HP4 of the Emerging Local Plan. There are also a slightly higher number of four bedroom units than the target mix and no five bedroom affordable units are proposed.

10.55. Policy HP3 of the Sites and Housing Plan, which relates to the provision of affordable housing specifies that the applicant should demonstrate that the mix of dwelling sizes meets the City Council's preferred strategic mix for affordable housing. The City Council maintains a housing register which is used to manage the mix of dwelling sizes on new developments, according to housing need. The City's Housing Register identifies that the principle requirement is for 1 and 2 bedroom dwellings. The provision of smaller units also has the joint benefit of making available larger properties in the city which are currently under occupied for persons in need of these larger properties. The larger four and five bedroom units on the site are understood to be meeting the needs of families on the housing register. In respect of the mix of units, the Council's housing team have confirmed that they are satisfied with the type of affordable units proposed.

10.56. On the basis of the above, officers consider that the proposed mix of dwellings would be acceptable and achieves an acceptable balance which makes best use of the site thereby achieving an optimum number of affordable units. Whilst the target mix of affordable dwellings is slightly out of line with the requirements of Policy H4 of the Emerging Local Plan it is considered that the development

would provide a mix of units which adequately addresses the City Council's specific affordable housing needs.

Transport

Parking Provision

- 10.57. At the East Area Planning Committee held on the 31st July 2019 members expressed concerns in respect of issues relating to the transport and highways impacts associated with the development, including traffic generation and the suitability and extent of parking proposed. Members also requested that further information be provided in respect of the technical analysis of traffic movements and highways impacts.
- 10.58. Following the committee meeting and subsequent discussion with officers and Oxfordshire County Council, the applicant has revised the proposals, reducing the number of dwellings from 102 units to 86 units, an overall reduction of 16 dwellings. A revised Transport Assessment has been prepared in addition to a Car Park Management Plan. Following the reduction in the overall quantum of units, parking provision on site has been reduced to a total of 86 spaces. It is proposed that each of the 3, 4 and 5 bed dwellings would have 1 allocated parking space whilst the apartments would be served by unallocated parking. A car club space would also be provided.
- 10.59. The provisions of Policy HP16 of the Sites and Housing Plan set maximum standards relating to vehicle parking provision; these requirements are outlined within appendix 8. Car free and low parking developments are encouraged in appropriate locations, though this is dependent on evidence that low parking and the car free nature of development can be enforced such as within a CPZ, additionally the sustainability of the location is taken into account, in particular access to public transport and other facilities including a local supermarket.
- 10.60. Policy M3 of the Emerging Local Plan requires that in Controlled Parking Zones (CPZs) or employer-linked housing areas (where occupants do not have an operational need for a car); where development is located within a 400m walk to frequent (15minute) public transport services and within 800m walk to a local supermarket or equivalent facilities (measured from the mid-point of the proposed development), planning permission will only be granted for residential development that is car-free. In all other locations it is expected that developments comply with the specified maximum parking standards. Car free development may be permitted, however this is dependent on the site specific circumstances and nature of development proposed.
- 10.61. The application site is located outside of the Central Transport Area and does not lie within a district centre. The Cowley Primary District Centre is located around 750 metres to the south of the application site, there is a supermarket located approximately 950 metres from the site at Templars Square. There are bus stops within 250 metres of the site on Hollow Way, which are served by regular services to Cowley Centre, Headington, the JR Hospital and the City Centre.

- 10.62. The proposals make provision for 1 unallocated parking space per flat, whilst each of the proposed dwellings would have 1 allocated space. The surrounding area is not within a Controlled Parking Zone (CPZ) and in the absence of parking controls in the area; there is a high risk that under provision of parking would result in an accumulation of vehicles within the surrounding streets.
- 10.63. It is noted that Oxfordshire County Council have proposed CPZ's at Hollow Way (South and North) and Temple Cowley, which are deemed as high priority, though these are not fully funded and little weight can be afforded to the potential future implementation of a CPZ in the area at this particular time.
- 10.64. Whilst the site is not in an unsustainable location in terms of proximity to public transport and local services and facilities, there are no substantial means of enforcing that future occupiers do not own private vehicles and subsequently park these vehicles in the surrounding roads. The overall quantum of development combined with the lack of a feasible means of enforcing the car free development would likely result in significant on street parking in the surrounding roads, which would have an adverse impact on highway safety and amenity. Officers therefore consider that the development should not be car free. In terms of the proposed parking provision officers consider that this would be acceptable in line with the requirements of Policy HP16 of the Sites and Housing Plan, furthermore the Highways Authority raised no objection to the proposed level of parking provision within their consultation response to both the original proposals for 102 dwellings and the revised proposals for 86 dwellings.
- 10.65. The County Council is concerned that the car park for the development could be misused for parking which is not related to the development. Therefore, a suitably worded condition requiring a car park management plan has been requested.

Cumulative Highways Impacts

- 10.66. The matter of traffic generation resulting from development on this site, albeit a lower quantum of development (43 houses compared with 102 dwellings) was considered as part of the previous appeal decision on the site in 2014. The issues of parking pressure within the area and the accumulation of parking on the surrounding roads, particularly at pick up and drop off time outside the adjacent Tyndale School were considered by the appeal inspector. Whilst recognising the pressures in the area, the inspector considered that a scheme which provided parking in accordance with maximum standards would not significantly add to parking pressures and whilst there would be an increase in traffic generation, this was not deemed to constitute harm to highway safety and amenity. The matters of the safety of pedestrians walking to the school was given due consideration, it was considered that the provision of existing continuous footways provides sufficient separation between road users and pedestrians and therefore the additional traffic generation would be unlikely to impact detrimentally on pedestrian safety.
- 10.67. The trip rates accepted as part of the 2016 application have been used to assess the traffic generation of the site. The TRICS assessment has been

inspected and is considered to be an accurate evaluation of the site and expected trip rates.

- 10.68. When this application was first submitted for 102 residential units this estimated that the site could generate 34 two-way vehicular trips in the AM peak and 31 vehicular trips in the PM peak. Due to reduction in dwellings on site the expected two-way traffic generation at peak times is 29 in the AM and 26 in the PM.
- 10.69. The applicant undertook traffic surveys which showed that in comparison to existing traffic levels, the new movements are not deemed severe. For example, the predicted highest number of one way movements departing from the development are vehicles departing the site in the AM peak which is estimated to be 20.6. The traffic survey undertaken shows that the number of existing cars approaching the junction from Barracks Lane in the AM peak (08:00-09:00) is 108 vehicles.
- 10.70. The applicant has then undertaken junction capacity assessments using LinSig software. This shows that the junction operates within capacity following development traffic being added with a slight increase in degree of saturation on each arm (averaging approximately 3% per arm) the most impacted arm of the junction is Barracks Lane in the AM peak which shows a degree of saturation of 80.6%.
- 10.71. All arms are below a 10% increase in degree of saturation, this being the measure of demand relative to capacity and the added delay time per arm is considered appropriate. The largest increase in degree of saturation between modelled periods is the Barracks Lane in the PM peak (17:00-18:00) which has an increase of 8.9%, however, this only results in a 5 second delay for cars travelling through the junction. The AM peak from Barracks Lane which has the highest number of vehicle increase shows an increase of degree of saturation of 3.7% and an increase in queue length of 9 metres. The junction modelling is based on the original submission of 102 dwellings and the subsequent trip generation assessment, the impact would be greater than the actual scenario, which is also considered to be acceptable.
- 10.72. It should also be noted that in the recent guidance note published by TRICS on the changes in travel behaviour it states that there is a clear reduction in vehicle trips as sustainable transport infrastructure and local policy changes to promote walking and cycling. This shows that travel behaviours are continuing to change and vehicle trips continue to fall so in particular when there are high sustainable transport options (which this site has) it is likely the traffic generation from the development will continue to fall.
- 10.73. The site is in a sustainable location and there would be a high chance that a significant number of occupiers would not be using private cars during times which coincide with school drop off and pick up times, when most respondents specifically raised concerns about the impact of additional traffic generation. Good public transport access to the city centre and the site's proximity to a number of existing large employment sites would potentially negate the need for occupiers to use cars as a means of travelling to work during the busiest hours in

the morning, where traffic movements associated with occupiers may otherwise conflict with traffic movements associated with the adjacent school.

- 10.74. Officers and the Highways Authority consider that 'severe harm' in the context of the NPPF on the operation of Barracks Lane or the Barracks Lane / Hollow Way / Horspath Road junction cannot be demonstrated and as such there would be no reasonable grounds to refuse the application on highway impact.

Cycle Parking

- 10.75. Policy HP15 of the Sites and Housing Plan requires the provision of cycle parking within all new residential developments in line with specified standards. It is noted that the County Council had previously raised concerns in respect of the location of the proposed cycle parking. The applicant has since redesigned the cycle parking layout. Each house would have 3 cycle spaces either to the rear or front of the houses and the flats would have dedicated cycle stores which have been located close to the access to each block which will be beneficial to the users. All spaces are covered, secure and accessible and therefore this is accepted by the highway authority and as such, the objection has now been removed.

Pedestrian Access

- 10.76. The proposed plans include the provision of a public footpath through the site leading from William Morris Close to Beresford Place. Whilst this is in place at the current time and is open, this is not a public right of way. The proposals would ensure that this route is permanently provided which is considered to be beneficial as this is an important through route for pedestrians. The enhancements to this route would greatly improve permeability of access for future occupiers and existing residents in the area as a means of accessing Temple Cowley and the Cowley District Centre from Barracks Lane. Improvements to this access would be in line with Policy CS13 of the Core Strategy and TR4 of the Oxford Local Plan. The legal agreement associated with this application will require that this route is secured as a public right of way.

Amenity and Overlooking

Existing Occupiers and Adjacent Land Uses

- 10.77. It is noted that a number of representations have referenced potential overlooking of the adjacent Tyndale school, outdoor spaces and playing fields associated with the school. Further clarification was sought on this matter at the East Area Planning Committee held on the 31st July 2019 and members deferred determining the application until further details were provided in respect of this issue.
- 10.78. Block B features a number of windows serving habitable rooms (kitchen, bedroom and living spaces) and balcony spaces which face northwards towards the school. It is noted that there would be a separation distance of 18 metres between the facing windows and balconies and the boundary of the school. Block E would be much closer to the boundary, however the windows on the side

elevation of this building serve bathrooms for the first floor flats and in the case of the second floor flats these are secondary windows serving living spaces, which are served by larger primary windows. The windows along the north facing side elevation of the flats can be conditioned to be obscure glazed in order to prevent overlooking of the school and doing so would not impact on the amenity of future occupiers of the flats.

10.79. There are no specific planning guidelines in respect of acceptable distances and guidance on mitigating overlooking of schools. In terms of residential back to back distances 12 metres between a rear window and private garden would typically be considered acceptable. It would be considered good practice to ensure that steps are taken to reduce overlooking and it is considered that there would be a significant distance between the facing windows and the boundary of the school.

10.80. The amendments to the approved plans include the exclusion of the fourth storey of the previously proposed four storey central blocks. The exclusion of the fourth storey from Blocks A and B would reduce the number of units overlooking the school site, particularly those at a higher level. There would be habitable rooms on the first and second floor in Blocks A and B, which includes habitable windows which serving kitchens and bedroom spaces. Landscaping is a reserved matter; however the amended proposals include increased space for planting adjacent to the northern boundary of the site. Revisions to the parking and site layout allow additional space for planting within this area of the site to include larger species of trees, which would obscure views of the school play areas from the flats, dependent on the selection of species. This can be controlled at reserved matters stage and by planning condition. Taking these factors into account, officers consider that the development would not result in unacceptable overlooking of the external play spaces of the adjacent school.

10.81. The site lies in close proximity to a number of existing residential properties. 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.

10.82. In respect of overlooking of adjacent residential properties, it is noted that the proposed houses 1 to 6 each have a rear garden depth of a minimum of 10 metres. There would be some increase in the overlooking of No.11 Crescent Close as the rear amenity space of this property would be overlooked by houses 1 and 2, there would be a minimum of 10.5 metres separation between the rear of houses 1 and 2 and the rear amenity space of this property. It is noted that there is a secondary side window on the east facing elevation of this property. There would be 12.9 metres distance between the rear windows of house No.3 and this side window, it is understood that this is a secondary window. It is noted that two dwellings are currently under construction in Crescent Road, however there would be a separation distance of at least 23 metres between the rear facing elevations of houses 5 and 6 and the boundary of the proposed dwellings.

10.83. In respect of the existing apartments at Beresford Place, a separation distance of at least 20 metres would be retained between the facing sets of windows in Blocks C and D and the existing apartments, this would be considered sufficient in officer's view in retaining the privacy of the existing occupiers of these properties.

10.84. There would be a separation distance of at least 39 metres between the rear elevation of houses 7 to 14 and Blocks E and F to the facing rear windows of the adjacent properties at Hollow Way. It is noted that these properties have very deep rear gardens. There would be a distance of 10 to 10.3 metres to the boundary of the private amenity area of these properties. There would be a separation distance of at least 39 metres between the rear windows and balcony spaces and the rear windows of the facing dwellings in Hollow Way, this is deemed to be sufficient in terms of retaining privacy for existing occupiers.

10.85. There would be a separation distance of 35 metres between the south facing side elevation of block F and the rear elevation of Nos.167 and 171 Crescent Road. At the closest point there would be 5 metres separation distance between the side of block F and the rear gardens of these existing properties, however these properties have substantial rear gardens and accounting for the relative separation distance between south elevation of block F and the rear elevations of the existing properties it is considered that the overall scale of development would not have an overbearing and compromising impact on the amenity of the occupiers of these properties. In terms of overlooking of Nos.167 and 171 Crescent Road it is noted that the only windows proposed on the south facing elevation of the proposed dwellings would be secondary windows serving bathrooms which would be conditioned to be obscure glazed.

10.86. In summary whilst the proposals would result in a material increase in overlooking of some adjacent occupiers, officers consider that the development would not substantially compromise the amenity of existing occupiers of properties surrounding the development site. The proposals would not result in significant loss of light to neighbouring properties and it is considered that the overall scale of development would not be overbearing. Taking the above factors into account it is considered that the proposed development would comply with the provisions of Policies HP9 and HP14 of the Sites and Housing Plan; Policies CP1, CP8 and CP9 of the Oxford Local Plan and Policy CS18 of the Core Strategy.

Future Occupiers

10.87. Policy HP12 of the Sites and Housing Plan sets internal space standards for new residential development, compliance with the Governments Nationally Described Space Standards is also required. The proposed dwellings would each be of a standardised size, this is indicated in the table below:

UNIT SIZES	
Type	Area (m ²)
Flat - 1 Bed 2 Person	50
Flat - 2 Bed 4 Person	70
Flat - 3 Bed 5 Person	86
House - 3 Bed 5 Person (Two Storey)	93
House - 4 Bed 7 Person (Three Storey)	121
House - 5 Bed 9 Person (Three Storey)	135

The above table indicates that each of the proposed units would comply with Nationally Described Space Standards. Individual rooms would also be NDSS compliant. The internal spaces of the proposed units are considered to be adequate and would comply with the requirements of Policy HP12 of the Sites and Housing Plan.

10.88. Policy HP13 of the Sites and Housing Plan requires that planning permission will only be granted for new dwellings that have direct and convenient access to an area of private open space, to meet the following specifications. For houses this would generally be an area of private garden space, whilst for flats of 1 and 2 bedrooms this would comprise of an external balcony and/or access to an area of private communal amenity space.

10.89. In terms of the flats, each of these would be served by external balcony areas, each of which would exceed the size requirements specified under Policy HP13 of the Sites and Housing Plan. The central four blocks of flats would each have adjacent access to a sizeable area of communal private amenity space located in the centre of the site between the blocks. This centralised space would be also be accessible to all residents, including the occupiers of the houses and Blocks E and F. Blocks E and F would also have external amenity spaces to the rear of the buildings. Each of the units would also have access to public open space which would be created within the development. The subtext relating to Policy HP13 specifies that external amenity spaces for houses should be equivalent to the footprint of the dwelling; this would be the case in each of the proposed houses.

10.90. Officers are satisfied that the amenity standards for all future occupiers would comply with the requirements of Policy HP13 of the Sites and Housing Plan.

Design, scale and massing

10.91. In terms of design, the NPPF requires high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character. This is also reflected within Policy DH1 of the Emerging Local Plan, which specifies that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness.

10.92. The application was subject of a design review workshop with the Oxford Design Review Panel held in July 2018 and a follow up review held in October 2018. In summary the panel were positive in respect of the development and evolution of the scheme. A number of design alterations were suggested, which the applicants have proactively sought to address.

10.93. The site area covers roughly 1.24 hectares. It was noted that a number of objections in relation to the original proposals for 102 dwellings raised concerns

that the proposals would represent an overdevelopment of the site. This is repeated in a number of the representations received in relation to the revised plans for the reduced quantum of 86 dwellings.

- 10.94. It is noted that the Sites and Housing Plan bases site allocation density at 55 dwellings per hectare, though it is noted that higher densities may be appropriate in certain locations such as in the City Centre or District Centres. This is partly to achieve a balanced mix of dwellings whilst making best use of the land, though there are other material considerations and the design of the development must account for the general character of the area. The density of development for the previously proposed development of 102 dwellings on the site would have been 82.2 dwellings per hectare. For the reduced quantum of 86 dwellings, density would equate to 66.2 dwellings per hectare, which is a considerable reduction in overall density.
- 10.95. Policy RE2 of the Emerging Local Plan states that development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford. This includes exploring opportunities for developing at the maximum appropriate density accounting for the site context and all other material planning considerations. Higher density developments of 100 dwellings per hectare are encouraged within the City Centre and District Centres.
- 10.96. Whilst the site lies outside of a district centre, it is a compact urban plot surrounded by a mix of high density development, including apartments at William Morris Close and Beresford Place and lower density two storey houses in Crescent Close and Turner Close. Accounting for the urban grain and surrounding scale of development it is considered that the overall quantum of dwellings and density of development would be commensurate with the character of the area. The layout incorporates a significant quantity of open space provision, both public and private, which breaks up the overall density of the built form and the density would in officer's view feel comfortable and not oppressive. Site Policy SP66 of the Emerging Local Plan requires that 10% of the site is allocated as open space, whilst the proposals allocate 17% of the site as public open space.
- 10.97. The development includes a mix of three storey houses and six blocks of flats. A row of six houses is proposed adjacent to No.59 William Morris Close; these properties would be three storeys and would be of a single gabled fronted form. The general scale of the dwellings would relate appropriately with that of the adjacent two storey dwellings to the north and would continue the existing street pattern along William Morris Close and would also relate logically to the adjacent development to the west in Crescent Close. In terms of the proposed apartments, it is considered that these would be of an appropriate scale accounting for the adjacent built form in Beresford Place and William Morris Close, which comprises three storey flats with pitched roofs. The overall scale of development is responsive to the scale of the adjacent built form and general character of surrounding area.
- 10.98. There is no uniform architectural character in the immediate area which comprises of new build 2000's development in addition to late 20th century and

more traditional red brick dwellings in Crescent Road on the edge of the Temple Cowley Conservation Area. The materials palette comprises principally of red brick which is consistent with the predominant use of materials in the area, in both the newer development in William Morris Close and traditional dwellings in Crescent Road. The proposed development would be contemporary in its general character and whilst taking some characteristics the development would not replicate the existing adjacent development, which is considered to be an acceptable approach given that the surrounding development is not of any notable architectural standard. Amendments have been made to the design of the proposed dwellings to improve the relationship between the proposed flats and the area of public open space in terms of the west facing elevational treatment of these buildings to enhance activity adjacent to the open space. Notwithstanding the removal of one storey from each of the central blocks on the site, the amendments to the design do not fundamentally alter the appearance of the development, other than that the overall scale and mass of the central blocks is reduced. The scale of the central blocks, which are the highest buildings on the site are comfortable in relation to the proposed buildings and scale of the existing built form in William Morris Close and Beresford Place.

10.99. Landscaping is an important consideration in terms of the treatment of the public and private realm. As landscaping is a reserved matter this is not a matter for consideration at this stage and would be subject of a further application. Notwithstanding this, an indicative landscaping plan has been provided which would indicate the feasibility of delivering high quality landscaping across the site. The amendments which have been made are beneficial in providing additional landscaping within the proposed parking layout, which helps to offset the visual impact of the surface level parking.

10.100. Overall officers are satisfied with the design approach in terms of the layout, density of development and the architectural character and appearance of the proposed dwellings. Officers consider that the development would comply with Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan.

Heritage and Conservation

10.101. The Temple Cowley Conservation Area extends to a position approximately 60 metres to the south of the site to a position adjacent to the junction of Crescent Road and Junction Road. Whilst the site falls outside of the designated Conservation Area officers consider that the development site would broadly fall within the setting of the Conservation Area.

10.102. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." As the development would not be located within the Conservation Area itself, it is worth noting that this provision is not expressly engaged, however as the site is

within the setting of the Conservation Area and development may impact on its significance it is appropriate to give this due weight.

- 10.103. For development within Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area's architectural or historic significance. Paragraph 193 of the NPPF requires that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. In terms of development which affects the setting of Conservation Areas Policy HE7 of the Oxford Local Plan requires that development should preserve or enhance the setting of the Conservation Area.
- 10.104. Views of the application site from the Conservation Area are highly limited owing to the presence of existing buildings along the northern side of Crescent Road, Crescent Close and the development at Beresford Place. It is unlikely that the development would be perceived either from the setting or as part of the setting. The development would not be visible from within the setting of the Conservation Area other than in possible glimpsed views between existing buildings and in any event officers consider the overall impact on the setting of the Temple Cowley Conservation Area would be negligible and the development would not result in harm to the significance of the Conservation Area as a heritage asset, consequently the development would preserve the setting of the Temple Cowley Conservation Area in accordance with Policy HE7 of the Oxford Local Plan and Paragraph 193 of the NPPF.
- 10.105. The Oxford Local Plan recognises the importance of views of Oxford from surrounding high places, both from outside Oxford's boundaries but also in shorter views from prominent places within Oxford. As a result there is a high buildings policy (HE9), which states that development should not exceed 18.2m in height or ordnance datum 79.3m, whichever is the lower, within a 1,200m radius of Carfax except for minor elements of no great bulk and a View Cones Policy (HE10) which protects views from 10 recognised viewpoints on higher hills surrounding the City to the east and west and also within the City. There are also a number of public view points within the city centre that provide views across and out of it, for example Carfax Tower, St Georges Tower and St Marys Church. The elevated viewpoints as public views are considered to contribute to the significance of the Central Conservation Area.
- 10.106. Policy DH2 of the Emerging Local Plan requires that design choices about building heights are informed by an understanding of the site context and the impacts on the significance of the setting of Oxford's historic skyline, including views in to it, and views within it and out of it. In order to achieve this it is expected that all of the following criteria should be met: a) design choices regarding height and massing have a clear design rationale and the impacts will be positive; and b) any design choice to design buildings to a height that would impact on character should be fully explained, and the guidance on design of higher buildings set out in the High Buildings Study TAN should be followed. In particular, the impacts in terms of the four visual tests of obstruction, impact on

the skyline, competition and change of character should be explained; and c) it should be demonstrated how proposals have been designed to have a positive impact through their massing, orientation, the relation of the building to the street, and the potential impact on important views including both in to the historic skyline and out towards Oxford's green setting.

10.107. The site is spatially distant from Carfax and lies outside the datum area specified under Policy HE9 of the Oxford Local Plan. The application site lies outside, but nevertheless close to the Crescent Road view cone and lies in what is a relatively elevated position. The tallest buildings on the site would be the central block of four storey flats. The majority of the development on the site would be relatively low rise. The heights of the central flats has been reduced and these buildings now extend to a maximum height 11.8 metres to the roof ridge reduced from 14.7 metres, as previously proposed, this is less than the adjacent three storey buildings in Beresford Place. Whilst the height and scale of the buildings is not substantial, as the development is located on higher ground close to the Crescent Road View Cone, officers consider that it is appropriate to consider the impact of the development in relation to wider views within the City Centre in accordance with Policies HE9 and HE10 of the Oxford Local Plan.

10.108. In order to properly assess the visual impact of the development, the applicant prepared a landscape and visual impact assessment in relation to the originally proposed, larger scale development. The applicant's landscape and visual assessment takes into account the impact of the development from six identified viewpoints within the city. The evidence provided in terms of the visual images and supporting analysis concludes that the impact of the development is likely to be minor as the development is unlikely to be discernible in these longer range views. It should be noted that the Visual Impact Assessment has not been amended to account for the reduced height of the central blocks. The original proposals, as evidenced from the Visual Impact Assessment were not discernible in longer range views. The revised proposals which are of a reduced height would therefore have even less of an impact of wider views and would not result in harm to the significance of the Central Conservation Area in respect of the overall setting and views experienced from within the centre of the city. The development would not consequently conflict with the provisions of Policies HE7, HE9 or HE10 of the Oxford Local Plan as well as the provisions of Policy DH2 of the Emerging Local Plan.

Ecology

10.109. Policy CS12 of the Oxford Core Strategy requires that Development will not be permitted where this 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

10.110. The site has been subject to a number of surveys and found to be of negligible to low ecological value. The changes in management of the site are however creating habitats of increasing value to wildlife such as reptiles, therefore prior to any development, an updated walkover survey will be required to assess the site in respect of any further changes. Subject to appropriate conditions to secure adequate ecological mitigation and enhancement, the

development would not impact adversely on site biodiversity and the development would comply with the provisions of Policy CS12 of the Oxford Core Strategy.

Drainage

10.111. The application site is at the periphery of the surface water and groundwater catchment for the Lye Valley SSSI. Natural England has indicated that the proposed increase in built development on the application site has the potential to impact negatively on the hydrology of this site. Concern was expressed that without the submission of an appropriate SUDS's maintenance plan that the development could damage or destroy the Lye Valley SSSI.

10.112. The site is within Flood Zone 1 and is deemed to be at a low risk of surface water flooding. To protect biodiversity within the Lye Valley SSSI and to prevent surface water flooding as a result of the development a surface water SUD's scheme for the site is required by condition, which will include a maintenance scheme. Subject to the provision of a satisfactory scheme as required by condition it is considered that the development would comply with the requirements of Policies CS12 and CS13 of the Oxford Core Strategy.

Sustainability

10.113. 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.

10.114. Policy HP11 of the Sites and Housing Plan requires that developments of 10 or more dwellings are accompanied by an Energy Statement in order to demonstrate that 20% of all energy needs are obtained from renewable or low carbon resources.

10.115. The application is accompanied by an Energy and Sustainability Statement; this outlines a series of measures which would be incorporated to meet the 20% target identified under Policy HP11 of the Sites and Housing Plan. The Energy Statement indicates that the following measures would be incorporated into the design of the development to meet this requirement:

- Low air permeability of facade
- Improved U value
- High performance Low E glazing
- High efficient heating system
- Energy efficient lighting (LED)

- 10.116. Subject to the developments compliance with the details outlined in the energy statement it is considered that the development would comply with the requirements of Policy HP11 of the Sites and Housing Plan; Policy CS9 of the Core Strategy and Paragraphs 153 and 154 of the NPPF.

Air Quality

- 10.117. The applicants review of the Air Quality levels in the area states that pollutant concentrations at the façades of proposed residential receptors are predicted to be within the relevant health-based air quality objectives. On that basis, future occupants of the proposed development will be exposed to acceptable air quality and the site is deemed suitable for its proposed future use.

The ADMS-Roads dispersion model has been used to determine the impact of emissions from road traffic on sensitive receptors. Predicted concentrations have been compared with the air quality objectives. The results of the assessment indicate that annual mean nitrogen dioxide (NO₂) concentrations are below the objective in the 'without' and 'with' development scenario. Concentrations of particulate matter (PM₁₀) are also predicted to be below the annual mean objective in the 'without' and 'with' development scenario.

- 10.118. The AQA states that no air pollutant emitting on-site energy generation is planned. However, the sites energy & sustainability statement refers that energy supply will be provided by solar panels and an efficient gas fired boiler. Current IAQM Guidance considers all gas fired boilers to be high efficient (Low NO_x) all the boilers that have NO_x emission rates < 40mg/kWh. Since no evidence is provided with regards to the boilers' technical specifications, proof that the boilers that are going to be installed on-site emit NO_x emission rates within the referred threshold will be required by condition.

- 10.119. A dust risk assessment has been carried out using the IAQM's 'Guidance on the assessment of dust from demolition and construction' to determine the potential impacts from demolition and from earthworks, construction and track out. The implementation of suitable site specific mitigation measures and their inclusion in the site's CEMP will bring the construction phase air quality dust impacts of this development from medium risk to the status of negligible/non-significant.

11. CONCLUSION

- 11.1. On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. In the context of all proposals Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or

the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 11.3. The proposals would bring forward the development of 86 residential dwellings, of which 43 units would be affordable accommodation. Policy CS2 of the Core Strategy outlines that development will only be permitted on Greenfield Land if it is specifically allocated for the use in the local development framework; or in the case of residential development, it is required to maintain a rolling five year supply of housing. These provisions are considered however to be out of date, as Policy CS2 is inconsistent with the NPPF, which does not require a sequential brownfield first approach to residential development. The site is not principally brownfield land but is allocated for residential development within the Council's Emerging Plan. The Emerging Plan is yet to undergo examination and the site's allocation is afforded limited weight at this stage. Notwithstanding this there is a clear and evident housing need within the city, particularly affordable housing.
- 11.4. As a sports and recreation facility there is a clear policy requirement as outlined within Policy SR2 of the Oxford Local Plan, Paragraph 97 of the NPPF and the site specific requirements of Policy SP66 of the Emerging Local Plan that the existing sports facility should be replaced to an equivalent or enhanced standard. In order to satisfy these requirements the applicants have proposed a financial contribution of £600,000 towards the upgrade of the existing all weather sports pitches at the nearby St Gregory the Great School in Cowley. This financial provision and community access to this facility would be secured through a Section 106 Agreement. Officers are satisfied that the financial contribution towards the upgrade of an existing publically accessible facility would represent an enhancement compared with the existing sports pitch which has not been actively used for an extended period of time, has limited playing capacity and no public access. Sport England has indicated that the alternative sports provision offered represents satisfactory mitigation in principle for the loss of the existing facility.
- 11.5. The development would result in the loss of an area of open space, which whilst not publically accessible provides an important visual break within a relatively dense area of built form. The loss of the open aspect formed a basis for the refusal of a previous planning application on this site. Whilst the loss of a perception of openness would be inevitable within any development on the site, the proposals in officer's view provide mitigation through the delivery of public open space, which would be sited in the optimum location and comprises 17% of the total site area, exceeding the 10% requirement specified within Policy SP66 of the Emerging Local Plan.
- 11.6. Officers are satisfied that the development preserves an appropriate standard of residential amenity for existing occupiers and would not compromise neighbouring properties by reason of overlooking, loss of light and scale of the proposed built form. Officers are also satisfied that the design of the dwellings

affords appropriate standards of amenity for future occupiers. Officers consider that the development would be of a high design standard and the development would not result in harm to the heritage significance of the Temple Cowley Conservation Area.

11.7. The highways impacts of the development have been assessed in relation to the overall quantum of development and impact on the existing road network. The amendments to reduce the quantum of development from 102 units to 86 units, in conjunction with a reduction in associated parking would further lessen the cumulative impact on the adjacent highway network. County Highways as statutory consultee on highways matters have indicated that they consider the cumulative impact of the development on the existing road network would not be severe; consequently there would be no conflict with Paragraph 109 of the NPPF.

11.8. For the reasons expressed within this report 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 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. 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.

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

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

5. Prior to the commencement of the development hereby approved, full details of the access road, including layout, construction, lighting, and drainage shall be submitted to and approved in writing by the Local Planning Authority. These details must demonstrate that adequate forward visibility in both directions is achieved in accordance with the intended design speed of the proposed development. The means of access shall be constructed in accordance with the approved details prior to the first occupation of the development and be retained thereafter.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework

6. Prior to the commencement of the development hereby approved full details (lighting, dimensions, surfacing) of the proposed pedestrian and cycle link between the development, Beresford Place and Crescent Road, will be submitted to and approved in writing by the Local Planning Authority. These details must include the terms agreed with the owners of Beresford Place over which pedestrians cyclists must pass, including lighting, dimensions, surfacing and drainage. Thereafter, and prior to the occupation of any dwellings, the access shall be constructed in accordance with the approved details.

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

7. A travel plan and travel information pack shall be submitted for approval in writing by the Local Planning Authority before first occupation of the site. The travel plan shall be updated within 3 months of occupation of 50% of the site. The Travel Plan shall be implemented in accordance with the agreed details.

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

8. Prior to occupation of the development, a car park management plan shall be submitted for approval by the Local Planning Authority in writing to ensure that the car parking within the site cannot be abused by nearby residential properties or the school. The approved plan shall be implemented on first occupation of the development hereby permitted.

Reason: In in the interest of highway safety and to protect car park for residents' use only.

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

- Calculations of current and proposed runoff from the development area
- Discharge point and evidence of agreement for discharge point and rate

- Detailed Drainage Scheme Plan showing the layout of the proposed drainage network, the location of the storage within the proposed development and how these relate to the submitted calculations, including any chamber, pipe numbers, direction of flow, invert and cover levels, gradients diameters and dimensions. The methods of flow control must be detailed as should non-conventional elements such as pond and permeable paving.
- Soakaways tests and Infiltration estimation in accordance with BRE365; the depth of water strikes. To be undertaken at different part of the site should the infiltration devices to be used
- Sizing of features - calculation of attenuation volume
- Explanation of how the drainage discharge hierarchy has been followed
- Maintenance and management of SUDS features
- SUDS - Permeable Paving, Rainwater Harvesting, Green Roof
- Network drainage calculations
- Minimum discharge limit of 5 l/s does not apply in Oxfordshire. Appropriate consideration of filtration features could remove suspended matters and suitable maintenance regime could minimise the risk of blockage.
- A qualitative assessment of flood flow routing in exceedance conditions
- An assessment of residual risk (what would happen if part of proposed SuDS fails).

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

10. 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).

Phase 1 has already been submitted to the LPA under a previous application
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 scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use be submitted and approved in writing by the Local Planning Authority. The remediation shall be carried out in accordance with the approved scheme and the applicant shall provide written verification to that effect.

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

11. 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 by the Local Planning Authority.

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

12. A watching brief for the identification of unexpected contamination shall be undertaken throughout the course of the development by a suitably qualified engineer. If unexpected contamination is found to be present on the site, an appropriate specialist company and Oxford City Council shall be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. No occupation shall take place until details of the watching brief have been submitted to and been approved in writing by the Local Planning Authority.

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

13. 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 approved details shall be implemented and adhered to during the construction phase and thereafter.

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.

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

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

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

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

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

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

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

17. No properties shall be occupied until confirmation has been provided that either:- all surface water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. The development shall be carried out in accordance with the agreed measures.

Reason - The development may lead to flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development.

18. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

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

19. Prior to the commencement of development, an updated walkover survey of the site shall be undertaken to identify any change in its suitability to support rare and protected species, including reptiles and badgers. Should the site be found to support any protected species, a scheme of mitigation measures shall be submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To comply with the requirements of The Conservation of Habitats and Species Regulations 2017, the Protection of Badgers Act 1992, the Wildlife and Countryside Act 1981 (as amended) and to protect species of conservation concern.

20. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme shall include details of native landscape planting of known benefit to wildlife, including nectar resources for invertebrates. Details shall be provided of artificial roost features, including bird and bat boxes and a minimum of ten dedicated swift boxes. A quantifiable net gain in biodiversity will be required, presented using a suitable biodiversity offsetting metric, including details of any offsetting measures required. The agreed details shall be implemented prior to the first occupation of the development and shall be retained thereafter.

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

21. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the occupation of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed within the scheme and off-site compensatory habitat if relevant;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organization responsible for implementation of the plan; and
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

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

22. 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 dwelling houses 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 and the amenity of neighbouring properties and occupiers of the dwellings in accordance with policies CP1, CP8 and CP10 of the Adopted Oxford Local Plan 2001-2016, HP9 and HP14 of the Sites and Housing Plan and CS18 of the Core Strategy.

23. A Construction Traffic Management Plan shall be submitted to and be approved 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,
- Travel initiatives for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents and neighbours.

The development shall be carried out in accordance with the approved 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.

24. The development hereby permitted shall not be occupied until the designated car club space as set out in approved plans has been provided. The car club space shall be laid out as set out in the approved plan prior to occupation of the development and retained as such thereafter.

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

25. The development hereby permitted shall not be occupied until details of the electric vehicle charging infrastructure has been submitted to and approved in writing by the Local Planning Authority. The infrastructure shall be formed, and laid out in accordance with the approved details before usage of the parking spaces commences and shall remain in place thereafter.

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

26. 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.

27. Prior to the first occupation of the units hereby permitted the windows on the north facing elevation of Block E and the south elevation of Block F shall be fitted with obscure glazing and shall be retained in that condition thereafter. The second floor balcony in Block E serving Flat E10 shall be fitted with obscured privacy screening to a minimum height of at least 1.8 metres along the north facing elevation prior to the first occupation of this unit and shall be retained in that condition thereafter.

Reason: To prevent overlooking of existing residential dwellings and overlooking of the adjacent school in the interest of safeguarding and preserving the residential amenity of existing occupiers in accordance with Policies CP1 and CP10 of the Oxford Local Plan and Policy HP14 of the Sites and Housing Plan.

28. 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 pages 19-20 of the reviewed Air Quality Assessment that was submitted with this application (document reference: AQ_assessment/2018/WMC_update, Version 2) developed by Aether. The agreed CEMP shall be adhered to at all times.

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.

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

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

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

Reason: To promote the use of cycles thereby reducing congestion on adjacent roads in accordance with policies CP1, CP10 and TR4 of the Adopted Oxford Local Plan 2001-2016.

13. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – 2014 Appeal Decision
- **Appendix 3** – ODRP Letter

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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EAST AREA PLANNING COMMITTEE

1st July 2020

Application number: 20/00184/FUL

Decision due by 18th March 2020

Extension of time

Proposal Demolition of existing dwelling and garage. Erection of 1 x 3-bed, 2 x 2-bed and 2 x 1 bed flats (Use Class C3). Provision of private amenity space, bin and bicycle stores (amended description and plans).

Site address 20 Osler Road – see **Appendix 1** for site plan

Ward Headington Ward

Case officer Sarah Orchard

Agent: Mr Kelly **Applicant:** Mr M Rana

Reason at Committee The application proposal is for five or more 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.

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 proposal for the demolition of the existing dwelling and detached garage and erection of a building containing 1 x 3-bed, 2 x 2-bed and 2 x 1 bed flats (Use Class C3) with provision of private amenity space, bin and bicycle stores. This report considers the design and impact on the character and appearance of the area, impact on neighbouring amenity, quality of internal and external space, highways and parking impact, energy efficiency, drainage and land quality. It concludes that subject to conditions the proposal forms an acceptable development in all the above respects and

is therefore recommended for approval.

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 CIL contribution.

5. SITE AND SURROUNDINGS

5.1. The site is located on Osler Road within the Headington area of Oxford to the east of the city centre. 20 Osler Road is a two storey detached dwelling which is of a good architectural quality and is a positive feature in the streetscene. The application site includes 20 Osler Road and the detached garage to the rear of the dwelling, but does not contain all of its curtilage which currently contains 20A Osler Road, a bungalow in the rear garden. No. 20A benefits from an extant planning permission to be replaced with a single storey dwelling with its own separate curtilage. This remains within the applicant's ownership so is shown within the blue edge on the map below.

5.2. See site location plan below:



6. PROPOSAL

6.1. The application proposes the demolition of the existing dwelling and detached garage and erection of a building containing 1 x 3-bed, 2 x 2-bed and 2 x 1 bed flats (Use Class C3) with provision of private amenity space, bin and bicycle stores.

6.2. The existing building measures approximately 8.8 metres high, 9.35 metres wide and between 5.7 and 10.2 metres deep. The proposed building would measure about 9.4 metres high, 11.5 metres wide and be between 10.5 and 18.5 metres deep. In relation to neighbouring properties this would sit between the height of

22 Osler Road to the north which is lower and 16 Osler Road to the south which is higher. The overall massing and depth would also be increased but the site location plan shows at present the existing dwelling has a much smaller footprint and depth in comparison to neighbouring properties.

7. RELEVANT PLANNING HISTORY

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

77/00691/A_H - Outline application for erection of bungalow. Approved 30th September 1977.

77/00691/AA_H - Erection of bungalow. (Reserved Matters). Approved 19th April 1978.

81/00073/NF - First floor rear extension. Approved 14th April 1981.

84/00298/NF - Demolition of existing garage and erection of replacement double garage (Amended Plans). Approved 7th June 1984.

18/00688/FUL - Demolition of existing dwelling. Erection of 2 x semi-detached 4-bed dwellings (Use Class C3). Provision of four off street parking spaces, private amenity space and bin stores and cycle stores. Refused 10th May 2018.

18/01611/VAR - Removal of condition 5 (ownership tie) of application 77/00691 (outline planning permission) and condition 3 (ownership tie) of planning permission 77/00691 (reserved matters) to allow bungalow (no. 20A Osler Road) to be separated from the main dwelling (no. 20 Osler Road) (amended site plan with alterations to existing garage). Approved 18th March 2019.

19/01727/FUL - Demolition of existing bungalow. Erection of single storey 1 X 2 bed dwellinghouse with provision of bin and cycle store. Approved 2nd September 2019.

19/01941/FUL - Change of use of dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4) (retrospective). Approved 11th September 2019.

19/02358/FUL - Demolition of existing dwelling. Erection of 2 x 3-bed, 3 x 2-bed and 1 x 1-bed flats (Use Class C3). Provision of private amenity space, car parking and bin and cycle storage. Withdrawn 21st November 2019.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Oxford Local Plan 2036	Other planning documents	Neighbourhood Plans:
Design	117-118, 122, 124, 127	DH1, DH7		CIP1, GSP4
Housing		H5, H10, H14, H15, H16		
Natural environment		G1, G2, G6, G7		
Transport	109-110	M3, M5	Parking Standards SPD	
Environmental	153, 163, 170, 178-180	RE1, RE2, RE3, RE4, RE7, RE9	Energy Statement TAN	
Miscellaneous	7-11, 47	S1		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 3rd February 2020 and 23rd March 2020.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection subject to conditions requesting removal of eligibility for parking permits and a construction traffic management plan.

Headington Action

9.3. No comments received.

Stephen Road Residents Association

9.4. No comments received.

Central North Headington Residents Association

9.5. No comments received.

Barton Community Association

9.6. No comments received.

Public representations

9.7. 12no. objection comments received from 5 addresses in Osler Road and Stephen Road.

9.8. In summary, the main points of objection are:

- Occupants should not be eligible for parking permits.
- The applicant site is wrongly addressed, it should be 20 and 20A Osler Road.
- This application should supersede the permission at 20A Osler Road.
- The access to 20A was for the sole use of 20A and is now a shared access.
- There is no bin and bicycle storage allocated for 20A.
- The proposal would result in the loss of the original 1920s dwelling and also the hedge to the front of the property.
- Impact on neighbouring amenity (light and privacy).
- Impact on the building line in Osler Road.
- Impact on right to light of 22 Osler Road.
- Overdevelopment of the site without regard to quality of accommodation being provided.
- The development ignores the conditions imposed on 20A Osler Road.
- Impact on biodiversity.
- The application wasn't readvertised with a new case number.
- The plans do not show the new development at 18 Osler Road.
- No access other than to Flat 1.

Officer response

9.9. Where the objections relate to material planning considerations they are addressed in the main body of the report below.

9.10. In response to other issues, the plans were amended during the course of the application. The plans originally submitted included the bungalow previously permitted at 20A to the rear. This was shown for clarity only. As this caused some confusion, it was removed from the red outline to make it clear that it did not form part of the proposals. The application site is therefore correct, 20 Osler Road only. The application was not readvertised with a new reference number as it remains the same case therefore the case reference does not change. A pink notice rather than a yellow notice is posted to highlight that there has been a change.

9.11. The application does not supersede the proposed development at 20A Osler Road (19/01727/FUL), this is an extant permission on the site to the rear. The

current proposal is coming forward in addition to that permission and in Officers opinion there is no need to supersede the permission at 20A Osler Road and which in any event would need a legal agreement to do so. The two developments are capable of coming forward together and make an efficient use of land bearing in mind the history of the site.

9.12. The proposed plans retain the access to the proposed dwelling at 20A, this falls outside the red line boundary of the application site. There is no requirement that this must be for the sole use of 20A.

9.13. Right to light is a civil legal matter and is not a material planning consideration.

9.14. The site is not considered to be of any particular special ecological value. A landscaping scheme is requested which would secure replacement planting.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design
- Amenity
- Internal and external space
- Highways/parking
- Water/energy efficiency
- Drainage
- Land quality

a. Principle of development

10.2. Policy RE2 of the Oxford Local Plan 2036 and the NPPF support making a more efficient use of sites and policy G6 supports developing new dwellings on residential gardens subject to other material considerations. In this case this primarily relates to impact on the character of the area, quality of internal and external space and provision of adequate car parking, highway safety and bin and bicycle storage. Therefore the principle of the proposed development is acceptable subject to the consideration of these detailed matters which will be explored in more detail below.

b. Design

10.3. Policy DH1 of the Oxford Local Plan and the NPPF support high quality design which creates or enhances local distinctiveness. This is also supported by policies CIP1 and GSP4 of the Headington Neighbourhood Plan.

10.4. The street varies in character, large detached properties are primarily found on the eastern side, including the application site. To the west pairs of semi-detached properties are commonly found. Some properties contain flats whilst some are still retained as residential dwellings. Many of the original traditional properties are retained in the street, whilst there are also some more modern additions. Red brick is the predominant building material with use of render also

commonly found. In terms of grain of development, there is a fairly consistent depth of dwellings within plots, where deeper these read as more subservient additions added to the rear of properties.

- 10.5. The existing dwelling is of a high quality design and makes a positive contribution to the streetscene. The dwelling is not listed and does not fall within a conservation area and there is therefore no objection to its replacement providing that it is of a high quality design.
- 10.6. A traditional design approach has been taken with modern elements. The appearance of the proposed building from the street would respect the character of the street in terms of appearance with front bay windows, materials (red brick), positioning within the building line and its height which sits comfortably between the two neighbouring dwellings, 16 (a block of flats) and 22 Osler Road (a single residential dwelling).
- 10.7. In terms of the overall mass and grain of development this also sits comfortably within the plot and grain of development in the surrounding area. The two storey rear projection has been designed as a subservient rear addition which does not read as an overly dominant or disproportionate feature.
- 10.8. Subject to a condition requiring the approval of materials to ensure they are of a suitable quality and appearance, the proposal is considered to comply with policy DH1 of the Oxford Local Plan 2036 and policies CIP1 and GSP4 of the Headington Neighbourhood Plan.

c. Impact on neighbouring amenity

- 10.9. Policies RE7 and H14 of the Oxford Local Plan 2036 seek to protect the amenity of neighbouring properties in terms of privacy, impact on daylight and sunlight, outlook and sense of enclosure.
- 10.10. The proposal has been designed to ensure it would not have a detrimental impact on the amenity of neighbouring occupiers. This includes the proposed replacement dwelling at 20A Osler Road which is yet to be built or the existing dwelling at 20A if the replacement is not implemented. Significant consideration is also given to neighbours to the north and south of the site at 22 and 16 Osler Road. Other neighbouring properties are considered to be sited a significant distance from the property and would therefore not be detrimentally affected by the proposal.
- 10.11. Careful consideration has been given to the scale and positioning of the proposed dwelling within the plot. This ensures that the dwelling does not breach 45 degree guidelines under policy H14 of the Oxford Local Plan 2036 from the nearest windows of habitable rooms of neighbouring dwellings. There is therefore not considered to be a detrimental loss of light to neighbouring properties. This compliance and consideration to the depth of the proposal in relation to the depth of neighbouring properties also ensures that there would not be a detrimental sense of enclosure or loss of outlook.

- 10.12. In terms of privacy, the front/west of the proposed building would overlook the street, the rear/east elevation would overlook the garden and the north/side elevation would contain no windows (except as part of the bay in the principle elevation serving the master bedroom which would not overlook neighbouring windows). The south/side elevation would contain three windows at ground floor serving bedrooms and a kitchen, one at first floor serving a bedroom and one in the attic space also serving a bedroom. These would face the north elevation of 16 Osler Road. Whilst there are two windows in this northern elevation of 16 Osler Road (which were not on the approved plans for the development of the flats), they would be offset from those of the proposed development and appear to be high level only and therefore there would not be a detrimental loss of privacy to these flats.
- 10.13. In terms of overlooking at the rear, the proposed development would be over 10 metres from the boundary with 20A Osler Road and over 20 metres from the existing and proposed dwelling. This is considered adequate in terms of privacy and would ensure there is no overlooking or interlooking. 20A also benefits from privacy amenity space to the rear. These distances would also ensure the proposals would not be overbearing.
- 10.14. There are balconies proposed to the rear (east elevation). Privacy screens of 1.8 metres high would be provided to the sides of the first floor balcony providing privacy to neighbours at either side (which would also be secured by condition). The second floor balcony would be set within the roofspace and therefore would primarily overlook the rear amenity space.
- 10.15. The proposal is therefore considered acceptable in relation to neighbouring amenity in accordance with policies RE2 and H14 of the Oxford Local Plan 2036.

d. Internal and external space

- 10.16. Any new proposed residential units, in accordance with policy H15 of the Oxford Local Plan 2036, should comply with National Space Standards, should provide natural lighting and outlook and have a separate lockable entrance and kitchen and bathroom facilities. A single storey, one bedroom unit for two occupants should be 50m², or 37m² for one occupant. Both the one bedroom flats comply with these standards accordingly. A two bedroom, three person flat should be 61m², both flats 2 and 4 would meet this standard. Flat 1, a three bedroom flat for four people, should be a minimum of 74m². The proposed flat meets this standard. The bedroom sizes also comply with minimum standards of 7.5m² for a single room or 11.5m² for a double bedroom. The proposal is therefore considered to comply with policy H15.
- 10.17. In terms of outdoor space, policy H16 of the Oxford Local Plan 2036 sets out that 1 or 2 bedroom flats and maisonettes should provide either a private balcony or terrace of usable level space, or direct access to a private or shared garden. Flats 3, 4 and 5 on the upper floors would have direct access to a balcony and also the shared rear amenity space.
- 10.18. Flat 2 (a two bedroom flat) on the ground floor has no balcony but would have direct access to private patio/garden which leads onto the communal garden.

10.19. In relation to the three bedroom flat, flats and maisonettes of 3 or more bedrooms must provide either a private balcony or terrace of useable level space with a minimum dimension of 1.5 metres depth by 3 metres length, or, in the case of ground floor flats, direct access to a private garden or shared garden with some private space. Flat 1 would also have direct access onto a private garden leading onto the shared garden. The proposal is therefore considered to exceed the requirements of policy H16 by providing private and communal space.

10.20. In addition to this, space is also made available externally for the storage of bins and bicycles, details of which are requested by condition to ensure it is covered and secure and can accommodate the required number of bicycles and bins in accordance with policy M5 of the Oxford Local Plan 2036.

e. Highways/parking

10.21. The proposals are in a sustainable location with good access to local amenities with the Headington District Centre around the corner on London Road and excellent public transport links running along London Road also. The application site is within a CPZ.

Cycle Parking

10.22. The proposals must provide 14 covered and secure cycle parking spaces. The proposals provide a large secure and covered cycle storage unit which conforms to requirements of policy M5.

Car Parking

10.23. The proposals are described as car-free in the design and access statement. The proposals are in a highly sustainable location and this premise is therefore considered acceptable in accordance with policy M3. The proposals would be excluded from obtaining residents parking permits. This is to protect the existing on-street parking in the area and enforce the low car nature of the development.

10.24. A Construction Traffic Management Plan (CTMP) would be required as the proposals are located on a sensitive corridor frequently used by emergency vehicles and buses. The CTMP will mitigate against any traffic impacts the construction of the proposals may have.

10.25. The proposals are unlikely to have a detrimental impact on the local highway network in traffic and safety terms in accordance with the NPPF. Oxfordshire County Council do not object to the granting of planning permission, subject to the conditions highlighted above.

f. Water/energy efficiency

10.26. Policy RE1 of the Oxford Local Plan 2036 expects the applicant to demonstrate how sustainable design and construction methods will be incorporated and how energy efficiencies have been incorporated into the design. Given the proposal is a small scale development that is not a qualifying

site to provide 20% of energy consumption through renewables it is considered appropriate to deal with energy and water efficiency by condition.

10.27. A condition relating to water efficiency is therefore recommended to ensure that optional requirement of building regulations is triggered in accordance with policy RE1 of the Oxford Local Plan 2036.

10.28. A condition could also be recommended in relation to energy efficiency to ensure that the new dwelling meets an energy performance equivalent to ENE1 level 4 of the Code for Sustainable Homes in accordance with policy RE1 of the Oxford Local Plan 2036.

g. Drainage

10.29. Policies RE3 and RE4 relates to drainage and flooding. Whilst the proposed development is located in flood zone 1 and is at a low risk from flooding, it would result in the loss of green garden land and would increase impermeable areas on the site. To ensure that the proposed development would not result in an increase in surface water run-off which could contribute to flooding elsewhere, sustainable drainage would need to be incorporated into the site. Drainage plans, calculations and drainage details could be requested by condition to demonstrate that this would be the case. On that basis the proposals would be considered to comply with the above relevant policies.

h. Land quality

10.30. The risk of any significant contamination being present on the site is low. However, the proposed use is a sensitive use and it is the developer's responsibility to ensure that the site is suitable for the proposed use. Given the low possibility of contamination being found, it is considered appropriate to place an informative on any permission granted advising the developer of their responsibilities if any contamination is found. The proposal is therefore considered to comply with policy RE9 of the Oxford Local Plan.

11. CONCLUSION

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

11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF. 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. In summary it is considered that the proposal would make a more efficient use of the site whilst safeguarding the amenity of neighbouring properties, the character and appearance of the area and the highway network.

- 11.3. Officers would advise members that having considered the application carefully that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036 when considered as a whole, and that there are no material considerations that would outweigh these policies. On the basis of the above, Officers recommend that the East Area Planning Committee grant planning permission for the proposed development subject to the conditions as set out in the 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.

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

Reason: In the interests of visual amenity in accordance with policies D1 of the Oxford Local Plan 2036 and CIP1 and GSP4 of the Headington Neighbourhood Plan.

- 4 The dwellings shall not be occupied until the relevant requirements of level of energy performance equivalent to ENE1 level 4 of the Code for Sustainable Home have been met and the details of compliance provided to the Local Planning Authority.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular policy RE1 of the Oxford Local Plan 2036.

- 5 The dwellings shall not be occupied until the Building Regulations Part G sanitation, hot water safety and water efficiency, Category G2 water efficiency, Optional requirement G2 36 (2) (b) has been complied with.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular policy RE1 of the Oxford Local Plan 2036.

- 6 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 and demonstrate the surface water can be adequately treated prior to discharge to a sensitive receptor such as a SSSI.

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 RE3 and RE4 of the Oxford Local Plan 2036.

- 7 Inert gravel materials shall be used in any Sustainable Drainage system.

Reason: To ensure groundwater chemistry upstream of the Lye Valley Sites of Special Scientific Interest (SSSI) is maintained in accordance with policies RE3 and RE4 of the Oxford Local Plan 2036.

- 8 A landscape plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The plan shall include a survey of existing trees and hedges 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 G1, G7 and G8 Oxford Local Plan 2036.

- 9 The landscaping proposals as approved by the Local Planning Authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion. If any replacement planting fails to survive in the first 12 months after planting, replacement species shall be provided in accordance with the approved landscaping proposals within the first available planting season.

Reason: In the interests of visual amenity in accordance with policies G1, G7 and G8 of the Oxford Local Plan 2036.

- 10 Prior to the occupation of the dwellings details of the bin and bicycle storage including the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority, provided on site and retained thereafter for the storage of bins and bicycles only.

Reason: In the interests of the character and appearance of the streetscene and promotion of sustainable modes of transport in accordance with policies DH7 and M5 of the Oxford Local Plan 2036.

- 11 The development hereby permitted shall not be occupied until the Order governing parking at 20 and 20A Osler Road has been varied by the Oxfordshire County Council as highway authority to exclude the properties, subject to this permission, from eligibility for resident's parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policy M3 of the Oxford Local Plan 2036.

- 12 A Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. This should identify;
- o The routing of construction vehicles,
 - o Access arrangements for construction vehicles,
 - o Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network).

The development shall be carried out in accordance with the approved plan thereafter.

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

- 13 Prior to the occupation of the development, details of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority and provided on site in accordance with the approved details.

Reason: In the interests of the character and appearance of the site and to safeguard the amenity of 20A Osler Road in accordance with policies DH1 and H14 of the Oxford Local Plan 2036.

- 14 Prior to the occupation of the dwellings, details of the privacy screen to

balconies shall be submitted to and approved in writing by the Local Planning Authority, provided on the site in accordance with the approved details and retained thereafter.

Reason: In the interests of the privacy of neighbouring occupiers in accordance with policy H14 of the Oxford Local Plan 2036.

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.
- 2 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL
- 3 If unexpected contamination is found to be present on the application site, an appropriate specialist company and Oxford City Council should be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use. Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

13. APPENDICES

- **Appendix 1 – Site plan**

14. HUMAN RIGHTS ACT 1998

- 14.1 Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Appendix 1 – Site Plan



East Area Planning Committee

1st July 2020

Application number:	20/00897/FUL		
Decision due by	9th July 2020		
Extension of time	N/A		
Proposal	Roofing alterations to assembly hall to include replacing metal cladding and glazing, and installing 10 air handling units, access walkways and staircases.		
Site address	Assembly And Service Division, BMW UK, Garsington Road, Oxford, OX4 6NL, – see Appendix 1 for site plan		
Ward	Blackbird Leys Ward		
Case officer	Tim Hunter		
Agent:	Mr Joseph Holdsworth BMW	Applicant:	David Lock Associates
Reason at Committee	Site measures over 0.25ha		

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 Head of Planning Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers the development proposal, having regard to its scale, massing, form, siting and layout and the impact of the proposal on the context of the site in its surroundings, as well as other development management policies.

2.2. The report concludes that in light of the above issues and when considered against the NPPF and current Development Plan policies the proposal accords with the Development Plan and NPPF and is recommended for approval.

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

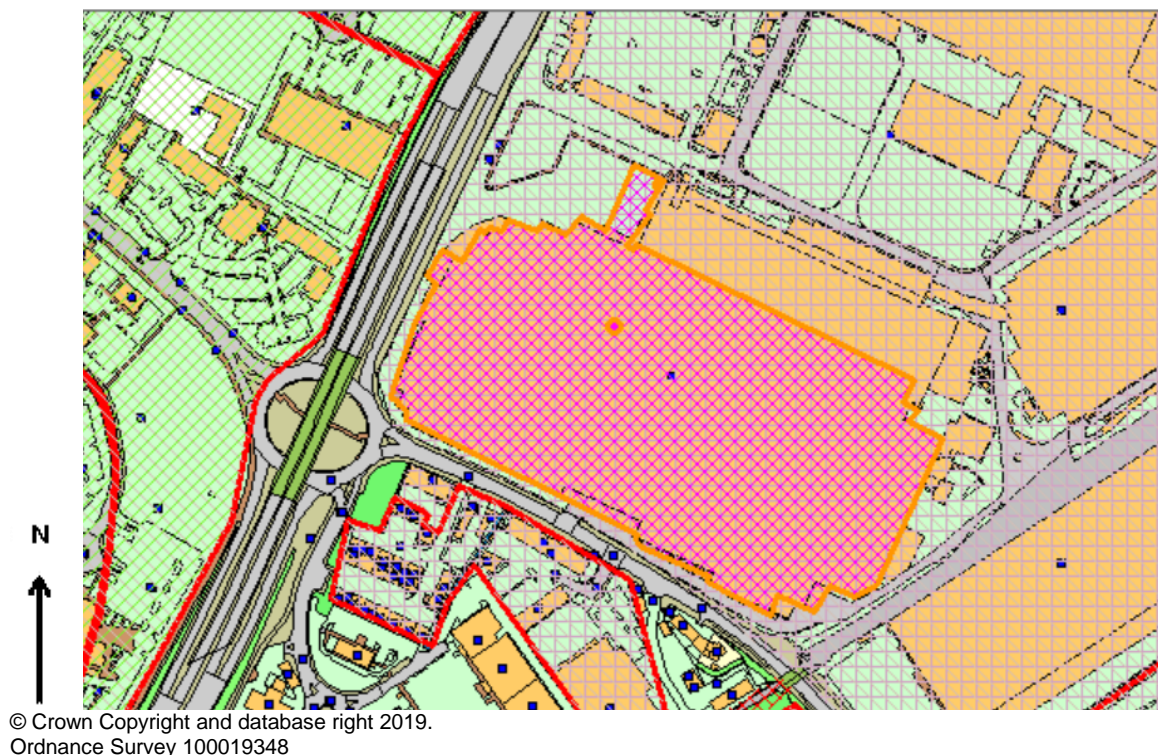
4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site relates to an extensive and substantial plot of land that is located on the eastern side of the eastern ring road, currently in use by BMW UK (MINI).

5.2. The particular area of the site that the proposed development relates to is on the south east corner of the site, in a highly prominent position next to the intersection of the eastern bypass and the Garsington Road, next to a roundabout that services the above roads, plus a retail park based around a Tesco superstore, Boots, Next, Sports Direct and Marks and Spencer.

5.3. See block plan below:



6. PROPOSAL

6.1 The application seeks permission for works to the roof of Building 50 at the above address and in the location described including new external access walkways, and air handling units with associated ducting, along with replacement of cladding and fenestration to the roof.

6.2 All parts of the roof are proposed for attention, with the main parts being re-clad with replacement profiled metal sheets and replacement translucent glass plastic panels to reflect the existing materials. One small area of flat roof to the north of the building is proposed for minor patch repairs to the existing membrane.

6.3 Building 50 incorporates two main parts – the northern and southern parts. Above the southern part, 10 air handling units are proposed 300mm above the roof, with associated access walkways. The air handling units would have a footprint of 3.5m x 8.2m with a height of 4.5m. These are set in from the end of the buildings and from the southern edge of the building in an effort to limit their visibility.

6.4 The air handling units are set in two separate banks, each of which, together with the associated access walkways and ducting covers an area of around 45m x 62.5m. The handrail to the walkways would be 2m above the adjacent ridges. Officers also note that there is a central ridge between the southern and northern parts of the building that rises to the same height as the highest point of the proposed development.

7. RELEVANT PLANNING HISTORY

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

18/01982/FUL - Extend the existing HGV delivery area to include drainage and road markings. Erection of retaining walls. Approved

19/01777/FUL - Formation of canopy to existing B50 entrance to south west side of the BMW plant. Approved

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Oxford Local Plan 2036
Design	12	DH1, DH2, DH7
Conservation/Heritage	16	DH3, DH4
Commercial	6	S1, E1

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 17th May 2020 and an advertisement was published in The Oxford Times newspaper on 14th May 2019.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection.

Heritage Officer

9.3. No comments.

Natural England

9.4. No comments

Environment Agency

9.5. No comments.

Trees

9.6. No objection

Historic England

9.7. No comments

Archaeology

9.8. Unlikely to have significant archaeological implications.

Land Quality

9.9. No comments.

Public representations

9.10. No representations have been received from the public.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Impact on the character and appearance of the site and surrounding area

a. Principle of development

- 10.2. The site is occupied by BMW MINI, an established and commercially successful manufacturing site, in Use Class B2 (industrial) use.
- 10.3. The BMW site is identified in the Oxford Local Plan 2036 as a Category 1 employment site that is a significant employer. It is also considered to be nationally and regionally important to the knowledge economy.
- 10.4. Policy E1 of the Oxford Local Plan 2036 states that planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development allows for higher-density development that seeks to make the best and most efficient use of land and does not cause unacceptable environmental impacts and effects.
- 10.5. The supporting statement submitted with the application makes it clear that “the plant’s assembly hall roof is now up to 90 years’ old, in a poor condition, and requires urgent work. Further, the hall’s [steam] heating system is inefficient and at the end of its working life. Therefore, there is a need to repair and invest in the building to increase its lifespan.” The statement sets out the options that have been considered and why the preferred options have been proposed. Officers note that for the northern section of the building, gas-radiant black-tube heaters have been proposed, but these are not suitable for the southern section, where an indirect gas-fired air-circulation heater system, using air-handling units to heat the air and ductwork to distribute it, has been proposed.
- 10.6. The current proposals are intended to modernise the building to support the current use of the site and no unacceptable environmental impact has been identified. The proposal is therefore acceptable in principle, and the proposals comply with Policy E1 and the NPPF in this regard.

b. Impact on the character and appearance of the site and surrounding area

- 10.7. The NPPF emphasises that good design creates better places in which to work and helps make development acceptable to communities (para 124). However, permission should be refused for development of poor design that fails to take into account any local design standards or style guides in plans or supplementary planning documents. The National Design Guide 2019 was adopted and forms part of the Development Plan.
- 10.8. Policy DH1 of the Oxford Local Plan seeks high quality design that creates or enhances local distinctiveness. Policy DH7 requires that external servicing features have been designed as an integrated part of the overall design, or are positioned to minimise their impact.

- 10.9. The established character of the building clearly reflects its industrial use and heritage and is set on the south west corner of a larger industrial site with a large number of buildings in a variety of sizes and styles. To the west of the site is the Eastern Bypass and to the south is the Garsington Road with a mix of mainly commercial uses along it, with a large retail park further to the south. The BMW site as a whole forms part of a distinct cluster of business, industrial and retail areas which lie either side of the bypass.
- 10.10. Building 50 is not a designated heritage asset and the site is not within a view cone that relates to views of the historic core of the historic city centre. However, building 50 is a very highly visible and traditionally styled industrial building that gives clues to the history of the former Morris Motors site.
- 10.11. As the Design and Access statement makes clear, the building now urgently need to be updated or replaced. “[the roof] is in a poor state of repair and requires urgent work to prolong the building’s lifespan. (...) Furthermore, the existing steam-heating system has almost reached the end of its life and needs to be replaced with an up-to-date heating system”.
- 10.12. Officers consider that, if acceptable in all other regards, updating the existing building 50 would be an appropriate way to modernise the existing building at the present time. The proposed changes to the roof itself (materials / fenestration) are modest and, subject to a condition to control these materials, may even represent an improvement on the current situation.
- 10.13. The main consideration therefore is the visual impact of the air handling units and the associated ducting and walkways. Officers note that the units are proposed in a colourway (grey) to match the existing roofing materials.
- 10.14. When viewed from points from the north to the east, the proposed air handling units and the associated ducting and walkways would be positioned in such a way as to be concealed behind the other buildings of the BMW site.
- 10.15. The development (other than the replacement roof materials) would not be visible from the Garsington Road to the south, because of its proximity to the side wall and views from the slip road to the west are limited, again because of its proximity to the development. The roof materials should be controlled by a condition of any permission.
- 10.16. When viewed from the eastern bypass, the external additions would be visible, but would appear in front of, and in the context of, the existing industrial building and the wider BMW site. As such their visual impact would be limited.
- 10.17. On the above basis, the proposed development would reflect the prevailing pattern and nature of development in the area and the existing building and would be positioned to minimise its impact. As such, the

proposed development would comply with Policies DH1 and DH7 of the Oxford Local Plan 2036.

10.18. In conclusion it is therefore considered that the proposed development would appropriately respond to the character and appearance of the building itself, the BMW site and its wider context, whilst updating and preserving a building that is important to the understanding of this aspect (automotive manufacturing) of Oxford's history and heritage. The proposals are therefore in accordance with the Oxford Local Plan 2036 and are acceptable in design terms.

10.19. There would be no other impacts arising from the proposals for example in terms of noise given the siting of the proposed works upon the roof, against the backdrop of an existing industrial use and with limited nearby residential properties.

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, having been adopted after 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 is inconsistent with the result of the application of the development plan as a whole.

11.4. In summary it is considered that the impact on visual amenity is modest and acceptable in its context and the proposal is acceptable in all other respects.

11.5. Officers would advise members that having considered the application carefully that the proposal is considered to be acceptable in terms of the aims and objectives of the Oxford Local Plan 2036 and that when considered as a whole, there are no material considerations that would outweigh these policies. On the basis of the above, Officers recommend

that the East Area Planning Committee grant planning permission for the proposed development subject to the conditions in section 12 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 Subject to condition 3, 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 Except where indicated otherwise on the drawings and supporting documents hereby approved, all new external works and finishes, and works of making good, shall match the existing original work in respect of materials used, detailed execution and finished appearance.

Reason: To ensure a satisfactory appearance and in the interests of the special character of the area and/or building in accordance with Policy DH1 of the Oxford Local Plan 2036.

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

Remote meeting

Minutes of a meeting of the East Area Planning Committee on Wednesday 3 June 2020

www.oxford.gov.uk



Committee members present:

Councillor Taylor

Councillor Altaf-Khan

Councillor Chapman

Councillor Lloyd-Shogbesan

Councillor Roz Smith

Councillor Tanner

Councillor Aziz

Councillor Clarkson

Councillor Simm

Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services

Sally Fleming, Planning Lawyer

Hayley Jeffery, Development Management Team Leader

Andrew Murdoch, Development Management Service Manager

Sarah Orchard, Senior Planner

Jennifer Thompson, Committee and Members Services Officer

Alice Watkins, Planning Officer

Apologies:

No apologies

1. Election of Chair for the Council Year 2020-21

The Committee elected Councillor Taylor to be the Chair for the Council Year 2020/21.

Cllr Taylor took the Chair.

2. Election of Vice-Chair for the Council Year 2020-21

The Committee elected Councillor Tanner to be the Vice-Chair for the Council Year 2020/21.

3. Declarations of interest

19/03223/FUL

Cllr Chapman, local ward councillor, declared that he did not have a predetermined opinion on this, had made no statements, and had not had contact with the developer or with the applicants prior to this meeting.

4. 19/03223/FUL: 1 Pullens Lane, Oxford OX3 0BX

The Committee considered an application for planning permission for the demolition of the existing dwellinghouse and garage/annex; erection of 3 x 5-bed dwellinghouses (Use Class C3); creation of new access, modification of existing access, landscaping works and provision of bin and cycle storage (Amended plans) at 1 Pullens Lane, Oxford, OX3 0BX.

The Planning Officer introduced the report and reported updates: a further 4 letters of support received since the report was written; additional ecology information from the applicant reviewed by the Council's ecology officer who maintained objections; and a letter from the applicant to the committee, circulated on 2 June, which officers had not assessed.

He recommended, and the Committee agreed, amending refusal reason 3 to reflect the updated ecology information:

~~*"The proposed development, by reason of the lack of up-to-date information and assessment, fails to demonstrate that the proposed development would not result in harm to known protected species on site and any appropriate mitigation necessary. The proposed development fails to demonstrate that the scheme would not result in harm to known protected species on site, due to the loss of functional wildlife habitat, most notably for badgers. The development would result in the net loss of a significant amount of trees, vegetation and ecological habitat that makes a meaningful contribution to local biodiversity that cannot be adequately mitigated or compensated by the proposal. A measurable net gain in biodiversity has not been demonstrated within the proposed development. As such, the development fails to accord with the requirements of policies NE15 and NE22 of the Oxford Local Plan 2016, policy CS12 of the Oxford Core Strategy 2026, policy GSP3 of the Headington Neighbourhood Plan, policies G2 and SP54 of the emerging Local Plan 2036 and the NPPF."*~~

Alex Creswell (the agent) and David Gye (from Pullens Lane Association) spoke in support of the application, and they and Neil Perry (architect) were available to answer questions.

The Committee asked questions of the officers and considered all the information before them. On being debated, proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to refuse the application

The East Area Planning Committee resolved to

REFUSE the application for the following reasons:

1. The proposed development by reason of its siting, massing, form, layout and external appearance, would cumulatively dominate and overwhelm this greenfield site such that it would result in an incongruous and inappropriate form of development, that would fail to preserve, and would erode, the quiet, verdant and rural character of Pullens Lane and the Headington Hill Conservation Area. Further, the loss of trees and important soft landscape features along with inadequate landscape mitigation proposed would cause harm to the visual amenity of Pullens Lane. This, coupled with the scale, form and layout, would cause harm to the wooded hillside that forms the green backdrop to Oxford and would be harmful to views out of the city, and to the special character and

appearance of the Central Conservation Area. The proposed development would result in a harmful impact on the setting of the listed building Headington Hill Hall and would fail to preserve the character or appearance of that area or its setting. Overall, the development would result in a high level of less than substantial harm that would not be outweighed by any public benefit derived from the development contrary to the requirements of policies CP1, CP8, CP9, CP10, CP11, HE3, HE7 and HE10 of the Oxford Local Plan 2001-2016, policies CS2 and CS18 of the Oxford Core Strategy 2026 as well as policies HP9 and HP10 of the Sites and Housing Plan 2011-2026; policies CIP2, CIP3, CIP4 and GPS4 of the Headington Neighbourhood Plan 2017 and emerging policies DH1, DH2, DH3, G6 and SP54 of the Oxford Local Plan 2036. The development would also fail to meet the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 in sections 66 and 72 of that Act.

2. The proposed development has failed to demonstrate that the proposal makes the best use of the site's capacity through exploring all available opportunities in a manner compatible with both the site itself and the surrounding area. The development therefore results in an inefficient use of the land contrary to the aims and objectives of policies CP1 and CP6 of the Oxford Local Plan and emerging policy RE2 of the Oxford Local Plan 2036.
3. The proposed development fails to demonstrate that the scheme would not result in harm to known protected species on site, due to the loss of functional wildlife habitat, most notably for badgers. The development would result in the net loss of a significant amount of trees, vegetation and ecological habitat that makes a meaningful contribution to local biodiversity that cannot be adequately mitigated or compensated by the proposal. A measurable net gain in biodiversity has not been demonstrated within the proposed development. As such, the development fails to accord with the requirements of policies NE15 and NE22 of the Oxford Local Plan 2016, policy CS12 of the Oxford Core Strategy 2026, policy GSP3 of the Headington Neighbourhood Plan, policies G2 and SP54 of the emerging Local Plan 2036 and the NPPF.

5. 19/03303/FUL: Land To The Rear Of 4 Lime Walk, Oxford, OX3 7AE

The Committee considered an application for planning permission for the demolition of former MOT facility (Use Class B2); erection of part four part three storey building to create 4 x 1-bed flats and 3 x 2-bed flats (Use Class C3); erection of a single storey building to create 1 x 2-bed flat (Use Class C3); provision of private amenity space, bin and cycle storage, alterations to landscaping and formation of 1 disabled parking space on Land to the Rear of 4 Lime Walk, Oxford, Oxfordshire, OX3 7AE.

Jeremy Biggin (the applicant) spoke in support of the application.

The Committee asked questions of the officers and considered all the information before them. On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to refuse the application.

The East Area Planning Committee resolved to

a) REFUSE the application for the following reasons:

1. Due to the scale and massing of the proposed flats, the proposal fails to form an appropriate visual relationship between the student accommodation blocks at Dorset house, two storey buildings in Lime Walk and office building to the

north of the site to the detriment of the character and appearance of the area and visual amenity, contrary to policies CP1 and CP8 of the Oxford Local Plan, CS18 of the Core Strategy, HP9 of the Sites and Housing Plan and CIP1 and GSP4 of the Headington Neighbourhood Plan.

2. No formal assessment has been carried out on the impact on light to the office building to the north of the site. Given the height and proximity of the proposed development to this neighbouring property and the location of light sources in the office building, the application fails to demonstrate that the proposal would not be harm to the amenity of the office building at Lime Tree Mews contrary to policy CP10 of the Oxford Local Plan.
 3. The proposal due to its height and scale in a backland location in close proximity to rear gardens of Lime Walk would result in a perceived loss of privacy to the detriment of the amenity of neighbouring occupiers contrary to policies CP10 of the Oxford Local Plan and HP14 of the Sites and Housing Plan.
 4. The proposal fails to provide an adequate level of shared outdoor amenity space to serve the proposed units, especially those without direct access to a balcony or terrace in accordance with the requirements of policy HP13 of the Sites and Housing Plan.
- b) delegate authority to the Head of Planning Services to finalise the refusal reasons as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

6. 20/00073/FUL: 385 Cowley Road, Oxford, OX4 2BS

The Committee considered an application for planning permission for the demolition of existing car repair garage; construction of new building containing 1 office unit (Use Class B1); erection of 5 x 2 bed flats (Use Class C3); and provision of 6 off street car parking spaces, bin and cycle storage at 385 Cowley Road, Oxford, OX4 2BS.

The Planning Officer corrected a typographical error in paragraph 11.2 of the report: *Officers would advise members that having considered the application carefully that the proposal is considered to be un-acceptable in terms of the aims and objectives of the National Planning Policy Framework.....*

The Committee asked questions of the officers and considered all the information before them. They noted that as no controlled parking zone was in place, no conditions relating to this could be applied, but controls and exclusions could be put in place by the Highways Authority should one be introduced.

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

The East Area Planning Committee resolved to:

1. approve the application for the reasons given in the report and subject to the 9 required planning conditions and 2 informatives 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.

7. 19/03050/FUL: Karam House 84A Crescent Road Oxford OX4 2PD

The Committee considered an application for planning permission for the change of use of dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4); and provision of car parking, bin and bicycle storage at Karam House, 84A Crescent Road, Oxford.

Huw Mellor (the agent) spoke in support of the application and Israr Hussain (the applicant) was available to answer questions.

The Committee asked questions of the officers and considered all the information before them. On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

The East Area Planning Committee resolved to:

1. approve the application for the reasons given in the report and subject to the 3 required planning conditions and 2 informatives 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. 19/03051/FUL: Fatima House 84B Crescent Road Oxford OX4 2PD

The Committee considered an application for planning permission for the change of use of dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4); and provision of car parking, bin and bicycle storage at Fatima House, 84B Crescent Road, Oxford.

Huw Mellor (the agent) spoke in support of the application and Israr Hussain (the applicant) was available to answer questions.

The Committee asked questions of the officers and considered all the information before them. On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

The East Area Planning Committee resolved to:

1. approve the application for the reasons given in the report and subject to the 3 required planning conditions and 2 informatives 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.

9. 20/00162/FUL: 84 Church Way, Iffley

The Committee considered an application for planning permission for the change of use of the dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4) at 84 Church Way, Oxford, OX4 4EF.

On behalf of Ms Gregory (the applicant) the clerk read her statement outlining the reasons for making the application. Ms Gregory attended to answer questions.

The Committee asked questions of the officers and considered all the information before them. They noted, given the layout of the external space and the house's location, the particular difficulties in complying with the policy requirements for C4 use.

In reaching its decision, the Committee considered all the information put before it.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to refuse the application, and to request that planning officers contact the applicant and explore the options available to her.

The East Area Planning Committee resolved to

a) REFUSE the application for the following reasons:

1. The proposed development fails to provide adequate off-street parking in accordance with the maximum parking standards and fails to demonstrate that there is sufficient on-street car parking capacity to mitigate for any increase in parking pressure resulting from the change of use in an area which is not subject to a Controlled Parking Zone (CPZ). The proposal is therefore considered to be contrary to policy HP16 of Sites and Housing Plan 2011-2026 and the NPPF.
2. The proposal fails to make provision for covered and secure cycle storage and bin storage in accordance with HP13 and HP15 of the Sites and Housing Plan and the NPPF.

b) delegate authority to the Head of Planning Services to finalise the refusal reasons as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

10. 19/03392/FUL: 25A Mayfair Road, Oxford, OX4 3SR

The Committee considered an application for planning permission for the erection of a single storey rear extension and alteration to one window to side elevation (Amended Plan) at 25A Mayfair Road, Oxford, OX4 3SR.

The applicant spoke in support of the proposal.

The Committee asked questions of the officers and considered all the information before them. On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application.

The East Area Planning Committee resolved to:

1. approve the application for the reasons given in the report and subject to the 3 required planning conditions and 1 informative 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.

11. Minutes

The Committee resolved to approve the minutes of the meeting held on 18 May 2020 as a true and accurate record.

12. Forthcoming applications

The Committee noted the list and that application 19/03361/FUL 139 London Road had been refused as a delegated decision.

13. Dates of future meetings

The Committee noted the dates and that meetings would start at 3.00pm while the committee is meeting remotely.

The meeting started at 3.00 pm and ended at 6.05 pm

Chair
2020

Date: Wednesday 1 July

When decisions take effect:

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued.

Details are in the Council's Constitution.

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