

**East Area Planning Committee**

5th March 2014

**Application Number:** 14/00052/CT3

**Decision Due by:** 4th March 2014

**Proposal:** Provision of 9 residents' parking spaces on existing disused drying area

**Site Address:** Site of Verge opposite 69 to 103 Masons Road (site plan at **Appendix 1**)

**Ward:** Churchill

**Agent:** Mr Stewart Thorp

**Applicant:** Oxford City Council

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal responds to the growing need to increase resident car parking spaces in the area and to prevent indiscriminate parking on grassed areas. Important trees will be protected and planting will be incorporated into the scheme and due consideration has been given to protected species. Officers conclude that the proposal is acceptable in design terms and would not cause any acceptable levels of harm to residential amenity. The proposal accords with the relevant policies of the local development plan.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 In accordance with approved plans
- 2 Time limit of implementation – June start
- 3 Reasonable Avoidance Measures to protect Great Crested Newts
- 4 Protection measures in place for Oak trees
- 5 Car parking spaces to meet size standards
- 6 Ground resurfacing - SUDS compliant

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016**

**CP1** - Development Proposals

**CP6** - Efficient Use of Land & Density

**CP8** - Design Development to Relate to its Context

**CP9** - Creating Successful New Places

**CP10** - Siting Development to Meet Functional Needs

**CP11** - Landscape Design

**NE15** - Loss of Trees and Hedgerows

### **Core Strategy**

**CS18\_** - Urban design, town character, historic environment

**CS12\_** - Biodiversity

### **Other Material Considerations:**

National Planning Policy Framework

### **Relevant Site History:**

13/02505/CT3 - Provision of 21No. residents' parking spaces on existing grass verges. Withdrawn October 2013.

### **Representations Received:**

No neighbours comments received

### **Statutory and Internal Consultees:**

Natural England – should apply standing advice in relation to protected species. Biodiversity and landscape enhancements should be incorporated where possible.

Highways Authority – no comment received

Risinghurst&Sandhills Parish Council – no objection

### **Issues:**

Visual impact

Residential amenity

Trees

Parking and Access

Biodiversity

### **Sustainability:**

All new spaces will be constructed to Sustainable Drainage Standards. The new spaces will make a purposeful and improved use of the existing space and help avoid

the existing landscaping being gradually degraded.

### **Background to proposal:**

1. Most of the parking provision in the City's heartland social housing estates was constructed as the estates were built in the 1950s, 60s and 70s when it was unusual for social housing tenants to own cars. In the 1980s, additional parking bays were constructed primarily in Blackbird Leys and some other high density areas as the demand for parking grew.
2. Parking pressure on the estates is continuing to increase, being one of the top three issues raised by residents at Neighbourhood Action Groups (NAG's) and in resident surveys.
3. Car ownership on the estates is now commonplace with many families having more than one car and the increased number of Houses of Multi-occupation (HMO's) also adds to the pressure.
4. Parking hotspot locations, particularly at high and low rise flats and cul-de-sacs, have resulted in residents parking on grass verges and larger grassed areas causing damage to the surface. Oxford City Council initially adopted a "defensive" approach by installing bollards and trip rails to preserve the look of the estate grassed areas, and more recently, the City Council have accepted the need for more "on grass" parking by installing Grass Grid systems at various locations. These "grass grids" have had some success but are not a truly permanent solution. There is strong interest in more permanent solutions at Parish Council level as well as from the residents of the estates.
5. Last year formal parking areas on existing grassed areas in five locations across the City were approved, and are now being implemented. Providing a formal parking area with level access should discourage indiscriminate parking on grassed areas which causes damage to the surface, as well as improving highway safety by formalising accesses. The five areas already approved are:
  - Blackbird Leys Road, Blackbird Leys
  - Monks Close, Blackbird Leys
  - Normandy Crescent, Lye Valley
  - Chillingworth Crescent, Woodfarm
  - Redmoor Close, Littlemore
6. This site at Mason's Road is only just coming forward as further consideration was needed in relation to a Great Crested Newt breeding pond on land to the north of the site.
7. The new spaces would be unallocated.

## **Officers Assessment:**

### **Proposal**

8. This scheme will provide nine off-street parking spaces on a dis-used drying area on the northern side of Mason's Road in Wood Farm. This application follows a previously withdrawn scheme for a proposal last year that involved creating 21 parking spaces including some on a grass verge adjacent to the drying area. This current scheme is an improvement as the grass verge will be left, protecting the large Oak trees on land to the rear of the site.

### **Visual impact**

9. The existing drying area is surrounded by a concrete wall and does not contribute positively to the appearance of the area. The proposal does involve the loss of six small trees and a verge with some shrub planting, but new landscaping is included as part of the proposal and the grass verge adjacent to the site will be retained so that on balance, officers are of the view that the proposals will preserve the character of the area and will not have a harmful impact on visual amenity.

### **Trees**

10. The loss of 4 young Scots pines, a young oak and a fruit tree from the roadside verge is regrettable but the presence of other trees means that the effect on visual amenity in the area will be limited in extent. There is an overriding need for parking in the area and this proposal is preferable to the previous withdrawn one as the current scheme has been amended to avoid parking underneath the crown spread of the adjacent mature oak trees. The loss of some trees will be mitigated by replacement planting.
11. A condition is suggested that requires the grassed area under the oak trees on land to the rear to be protected during construction of the parking area to prevent root damage.

### **Biodiversity**

12. The development proposal is within 30m of a known Great Crested Newt (GCN) pond. If the work is conducted unsympathetically it is possible that the legal protection of GCNs could be breached. However if Reasonable Avoidance Measures (RAMs) are followed, the risk to GCNs can be reduced to acceptable levels.
13. The hard standing base to be removed is constructed of compacted aggregate and offers minimal opportunity for GCNs to shelter underneath. It is therefore highly unlikely to function as a place of shelter or protection as outlined in the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended). If the work is conducted when GCNs are less likely to be on land and no structures of shelter or protection are provided

on site, construction risks can be minimised.

14. The following RAMs should therefore be adhered to during the removal of the base and construction of the new parking area and can be secured by condition:

- The development will not start before June and shall be completed before the end of July.
- In the unlikely event of a GCN being discovered, work should stop immediately and the Oxford City Council ecologist contacted.
- All materials stored overnight should be raised on pallets to avoid GCNs sheltering underneath.
- All holes should be securely covered to prevent GCNs becoming trapped, if left overnight during the construction period.
- Concrete should not be left unset overnight.

15. Due to the low likelihood of GCNs being present, and subject to these conditions being adhered to, the risk to newts is minimised to an acceptable level.

### **Impact on neighbours**

16. No. 72 Nuffield Road which serves as two flats lies to the north of the proposed parking area but the elevation facing towards the site is blank with no window openings and therefore there would not be any significant harm in terms of noise or headlight glare.

17. The drying area is not used by residents so its loss will not be harmful.

### **Parking and access**

18. The spaces are set back from the highway to allow adequate space for manoeuvring without obstructing the parking bays opposite. A condition is suggested requiring the spaces to be a minimum of 2.5 metres wide by 5 metres deep, to meet current car parking size standards.

**Conclusion:** For the reasons set out above the application is recommended for approval, subject to conditions

### **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers

of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

### **Section 17 of the Crime and Disorder Act 1998**

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

**Contact Officer:** Rona Knott

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**Date:** 19th February 2014