

West Area Planning Committee

26th August 2015

Application Number: 15/00656/VAR

Decision Due by: 24th April 2015

Proposal: Variation of conditions 2 (approved plans) and 9 (cycle parking details) of planning permission 10/01783/FUL (Conversion of building to provide flats) to amend the design layout to insert two new windows and a door on the north elevation and to alter the location of cycle parking.

Site Address: 46 Hythe Bridge Street, **Appendix 1.**

Ward: Jericho and Osney Ward

Agent: JPPC

Applicant: RHHS Repository Ltd

Recommendation: Approve with conditions.

Reasons for Approval.

1. The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
2. The proposal forms an appropriate visual relationship with the existing building and the surrounding development and would preserve the character and appearance of the Central Conservation Area. No objections have been received from statutory consultees. The proposal therefore complies with policies CP1, CP6, CP7, CP8, CP9, CP10 and HE7 of the adopted Oxford Local Plan 2001-2016 and HP15 and HP16 of the Sites and Housing plan

Conditions

1. Development to be commenced within 3 years of date of consent
2. Development in accordance with the approved plans.
3. Samples of proposed materials
4. Sample panels on site
5. No additional windows in south west elevation
6. Landscape Plan
7. Landscaping to be carried out upon substantial completion of the development

8. Plan showing means of enclosure
9. Details of cycle parking areas
10. Variation of Road Traffic Order
11. Construction Travel Plan
12. No windows to open out onto a public highway
13. Bin storage facilities
14. Scheme of archaeological work-written scheme of investigation
15. Contamination survey.
16. Ground floor room in flat 7 shall not be used as a bedroom
17. Structural details of the existing building fabric to be retained.

Main Planning 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
- CP22 - Contaminated Land
- NE6 - Oxford's Watercourses
- HE2 - Archaeology
- HE7 - Conservation Areas

Core Strategy

- CS2 - Previously developed and greenfield land
- CS10 - Waste and recycling
- CS11 - Flooding
- CS12 - Biodiversity
- CS19 - Community safety
- CS24 - Affordable housing

West End Area Action Plan

- WE1 - Public realm
- WE10 - Historic Environment
- WE11 - Design Code
- WE12 - Design & construction
- WE14 - Flooding
- WE15 - Housing mix

Sites and Housing Plan

- HP15 - Cycle parking
- HP16 - Car parking
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- HS21 - Private Open Space

Other Material Considerations:

- National Planning Policy Framework

- Application site falls within the Central Conservation Area.
- Planning Practice Guidance

Site History:

- 00/00125/NFH - Retention of multiple-occupation: 11 study bedrooms with shared facilities (Amended plans). PER 3rd November 2003.
- 54/03519/A_H - Change of use from disused public house to civil defence headquarters and youth centre and alterations.. PER 13th April 1954.
- 74/00130/A_H - Conversion of garage to office. PER 12th March 1974.
- 77/00047/A_H - Renewal of temporary consent for conversion of garage to office. TEM 23rd February 1977.
- 96/00032/LH - Conservation Area consent for demolition of outbuildings.. WDN 19th November 1999.
- 96/00033/NFH - Change of use from business to multi-occupation (9 study bedrooms) with facilities and one 1 bed dwelling with communal cycle parking (10 spaces) and refuse store in courtyard.. WDN 19th November 1999.
- 08/02638/CAC - Conservation Area Consent for demolition of existing buildings.. WDN 9th February 2009.
- 08/02639/FUL - Erection of four storey building to provide 9x1 bedroom flats.. WDN 9th February 2009.
- 09/01931/FUL - Erection of 4 storey building to form 9 x 1 bedroom flats.. REF 22nd October 2009.
- 09/01932/CAC - Application for conservation area consent for demolition of the existing buildings.. REF 22nd October 2009.
- 10/01783/FUL - Conversion and extension of existing building (involving demolition of extension and outbuilding) to provide 7 x 1-bedroom flats, cycle parking, bin store and amenity space to serve 2-bedroom flat (amended plan).. PER 17th November 2010.
- 12/01551/CEU - Continued use of building as a hostel incorporating 11 bedrooms in the principal building.. WDN 18th February 2013.
- 12/03214/FUL - Change of use from HMO (Sui Generis) to use for purposes falling within Use Class C1 or as a hostel (Sui Generis). PER 12th February 2013.
- 13/01835/CPU - Application to certify whether planning permission 10/01783/FUL has been lawfully implemented. PER 6th September 2013.
- 14/00651/FUL - Conversion of existing building to form 6 x 1 bedroom flats (Use Class C3).. WDN 23rd June 2014.
- 14/02535/VAR - Variation of condition 2 (approved plans) of planning permission 10/01783/FUL to amend the design of the west elevation of the proposed extension to allow natural lighting and ventilation to communal stairwell. PER 5th November 2014.

Representations Received: No public comments received.

Statutory Consultees:

Environment Agency Thames Region. Have assessed this variation of condition application as having a low risk and we have no objection to the above proposal. The proposed changes should not impact on flood risk based on the submitted plans

which highlight where changes to points of access and bike stores are proposed.

Officers Assessment:

Site Description:

1. The application site is located at the junction of Hythe Bridge Street and Upper Fisher Row on the north-west side of the road bridge west of the Castle Mill Stream and the Oxford Canal. The principal building currently occupying the application site is a three storey, red brick building which has stone detailing and a slate roof and marks the end of a terrace of four, very similar town houses fronting Hythe Bridge Street. The building was most recently used as an HMO providing 11 bed sitting rooms. There is also a coach house building that is considerably smaller and fronts onto Upper Fisher Row which forms part of the application site.
2. The site lies within the Central City and University Conservation Area.

Proposed Development:

3. Planning permission was granted in 17th November 2010 for the conversion and extension of the existing building at 46 Hythe Bridge Street (involving the demolition of an extension and outbuilding) to provide 7 x 1 bedroom flats, cycle parking and bin storage under reference 10/01783/FUL. Six flats are located within the main building, and the seventh within the former coach house. Since the grant of planning permission details submitted in compliance with conditions have been approved and work has been undertaken on site, though the properties are yet to be occupied. The same conditions as previously imposed would carry through to this latest variation application if permitted. A short supporting letter from the applicant appears as **Appendix 2** to this report.
4. It is now proposed to undertake some minor amendments to the design of the development and internal layout of the building to require less demolitions of the existing fabric and allow the use of the existing access points to the building. This involves the insertion of new windows and relocation of the cycle parking within the site.
5. It is considered that the principle determining issues in this case are the impacts:
 - of the proposed amendments to external and internal arrangements; and
 - on the character and appearance of the conservation area

External and Internal Arrangements.

6. The amendments to the extant permission as now proposed consist of introducing a larger window at ground floor level facing Hythe Bridge Street, plus 2 further matching windows at first and second floor above, together with a new external door to the Upper Fisher Row elevation giving access to 5 of the flats as well as to the basement to the building. To the courtyard between

the main building and the former coach house, a second external door is introduced, also giving access to the basement where a cycle store is now created. Previously an external cycle store was proposed in the courtyard.

7. These changes mean that 5 of the 6 flats in the main house are now accessed from the Upper Fisher Row side of the property via an existing staircase. The sixth flat has its own individual entrance from the splayed corner of Hythe Bridge Street and Upper Fisher Row. There are consequential changes to the internal arrangements of the building accordingly. Overall however the amendments result in a more logical layout to the building, whilst the additional external windows introduce a better symmetry to the Hythe Bridge Street frontage. As previously, matching red brick and stone detailing is proposed. In addition utilising the existing basement space means the cycle parking can be provided in covered, secure conditions whilst releasing space in the courtyard between the main building and former coach house.
8. Officers view these changes positively. They have no adverse impact on neighbouring properties, but are logical and make good use of the limited space available.

Character and Appearance of the Conservation Area.

9. As previously described in the officers' report recommending application 10/01783/FUL for approval, the existing buildings date from the later part of the C19th but before 1878 and were originally used as a public house. The building sits at the end of a terrace on the corner with Upper Fisher Row and reads as a part of that group. The building occupies a prominent position in the street and adjacent to one of Oxford's waterways and bridge 'gateways' into the city. There are a number of important views from here along the waterway and toward the Castle Mound and middle to long views are possible from the Mound.
10. The building, individually and as part of a unified group, provides a physical reminder of the development of this part of Oxford and its appearance and use of materials provide a domestic character to the street. The group is a familiar element that is a competent, architectural composition with high townscape quality. C20th changes have eroded the quality and character of parts of the West End and this gives these buildings greater importance as survivals of a later period.
11. Whilst the site lies outside the West End Area Action Plan area, the historic analysis that was conducted to inform the policies of the plan does identify these buildings as making a positive contribution. In addition the building gazetteer that forms part of the analysis identifies this part of Hythe Bridge Street as 'attractive'. The nearby road bridge is also identified as a key focal point.
12. The National Planning Policy Framework, (NPPF), indicates that local planning authorities "*should identify and assess the particular significance of any heritage asset that may be affected by a proposal*" and take this

into account when determining planning applications. Where a development may lead to harm to a heritage asset that harm has to be weighed against the public benefit arising from the proposal. In this case officers have taken the view that the existing buildings make a positive contribution to the character and appearance of the Central Conservation Area, a designated heritage asset, but that the works are not harmful. The development would secure the re use of this prominent building which has been unoccupied and down at heel, retaining the significant elements of the building. It is accepted that some change and loss of fabric is necessary but that these are justified within the terms of national and local planning policy and advice.

13. It is concluded that the changes to the elevations resulting from the new windows and door would not have an adverse impact upon the character or appearance of the Conservation Area, and that the changes proposed are therefore consistent with the NPPF advice and Local Plan policies CP1, CP7, CP9 and HE7.

Other Matters.

14. In recommending the 2010 application for approval officers had advised that issues relating to the impact on neighbours, private amenity space, residential amenity, highways and parking, flooding, archaeology, sustainability, ground contamination and balance of dwellings were all addressed. Those matters do not form part of these latest variation proposals and are not therefore before committee. As a variation application the requirements of conditions relating to these matters remain in place however.

Conclusion.

15. The planning application seeks to vary a permission already granted by proposing amendments to windows fronting Hythe Bridge Street and a door to upper Fisher Row. There are consequential internal re arrangements. Overall the development is not considered to be harmful to the Central Conservation Area in which it would be located, makes good use of the site, and brings back into active use a prominent building which has been unoccupied for several years.
16. Committee is recommended to support the proposal accordingly.

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

Background Papers: 15/00656/VAR, 10/01783/FUL

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