

West Area Planning Committee	1st December 2015
-------------------------------------	-------------------

Application Number:	15/02512/FUL
Decision Due by:	1 st January 2016
Proposal:	Demolition of existing buildings. Erection of 6 houses (2 x 3bed, 4 x 4bed) and 6 flats (1 x 1bed, 3 x 2bed and 2 x 3bed) on three levels.
Site Address:	1 Abbey Road, Oxford, Oxfordshire OX2 0AD (See Appendix 1)
Ward:	Jericho And Osney Ward

Agent:	N/A	Applicant:	Mr Neil Cottrell, Cala Management Ltd.
---------------	-----	-------------------	--

Recommendation:

Committee is recommended to grant planning permission for this development subject to the planning conditions set out in this report, the completion of a S106 Legal Agreement which secures affordable housing provision on-site and to delegate to officers the completion of that legal agreement and the issuing of the notice of planning permission.

RESOLVE TO APPROVE SUBJECT TO COMPLETION OF LEGAL AGREEMENT

Reasons for Approval:

1. The proposed redevelopment is an efficient use of previous developed land within a predominantly residential area and will facilitate the demolition of largely vacant buildings, originally occupied as a timber yard and more recently as a car rental office. The existing buildings are of a poor appearance and condition and detract from the appearance of the locality and street-scene. The overall layout, scale and design of the new housing proposed is attractive and sympathetic to the site and its surroundings while carefully safeguarding the residential amenities of neighbouring properties. The new development would provide high quality housing for future occupants and deliver new affordable housing for the city. The proposal is acceptable in highways terms and energy efficiency and does not create any biodiversity, environmental or flooding impacts. The development would therefore accord to the National Planning

Policy Framework, policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016 and the Sites and Housing Plan 2011-2026.

2. The Council considers that the proposal accords with the policies of Development Plan as summarised in this report. It has considered all other material matters, including matters raised in response to consultation and publicity. Any material harm that might otherwise arise as a result of the proposal can be offset or mitigated by the conditions imposed.
3. Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

Conditions:

1. Development begun within time limit
2. Development in accordance with approved plans
3. Samples of materials
4. Landscape plan required
5. Landscaping to be carried out by completion
6. Boundary details - development commencement
7. Details of cycle parking, waste & recycling storage areas
8. Travel Information Packs
9. Alterations to the Public Highway - Reinstatement of Kerb
10. Parking Permits for family homes
11. Construction Traffic Management Plan
12. Submission of surface drainage scheme
13. Water butts to be provided for each new house and for the terrace of flats
14. Archaeological recording and building recording
15. Implement in accordance with recommendations of bat survey
16. Details of biodiversity enhancement measures
17. Submission and agreement of scheme to deal with risks associated with identified contamination
18. Restrict occupation until any approved remediation works have been carried out
19. Development halted if unsuspected contamination is found during the course of development

Legal Agreement and Community Infrastructure Levy (CIL):

To secure financial contributions towards the delivery of affordable housing on-site, the applicant will need to provide an undertaking under the terms of Section 106 of the Town & Country Planning Act 1990.

The development generates a CIL contribution of £16,728.43.

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
- CP13** - Accessibility
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- TR11** - City Centre Car Parking
- HE2** - Archaeology

Core Strategy

- CS2** - Previously developed and greenfield land
- CS9** - Energy and natural resources
- CS11** - Flooding
- CS12** - Biodiversity
- CS13** - Supporting access to new development
- CS17** - Infrastructure and developer contributions
- CS18** - Urban design, town character, historic environment
- CS19** - Community safety
- CS23** - Mix of housing
- CS24** - Affordable Housing
- CS28** - Employment sites

Sites and Housing Plan

- SP1** - Avis, Abbey Road
- HP2** - Accessible and Adaptable Homes
- HP3** - Affordable Homes from Large Housing Sites
- HP9** - Design, Character and Context
- HP12** - Indoor Space
- HP11** - Low Carbon Homes
- HP13** - Outdoor Space
- HP14** - Privacy and Daylight
- HP15** - Residential cycle parking
- HP16** - Residential car parking

Other Planning Documents

National Planning Policy Framework
Affordable Housing and Planning Obligations SPD
Balance of Dwellings SPD
Waste Bin Storage and Access Requirements for New and Change of Use
Developments Technical Advice Note

Public Consultation

Statutory Consultees etc:

Highways Authority:

The Highways Authority raises no objections to the development proposals proposed but suggests conditions to require:

- provision of Travel Information Packs for the new homes;
- submission and agreement of an acceptable Construction Traffic Management Plan;
- provision of covered and secure cycle parking;
- submission and agreement of an acceptable Surface Water Drainage Scheme;
- exclusion of the development from eligibility for parking permits, with the costs of amendments to the Traffic Regulation Order met by the applicant;
- dropped kerbs along the frontage of the site on Abbey Road to be reinstated at the applicant's expense.

Environment Agency:

The Environment Agency raises no objections to the development proposed but suggests conditions to require:

- development to be undertaken in accordance with proposed plans;
- submission and agreement of an acceptable scheme to deal with risks associated with contamination;
- restriction on occupation until any approved remediation works have been carried out;
- development to be halted and mitigation agreed if unsuspected contamination is found during the course of development.

The Agency also requests that the applicant is advised that its consent is required under the Water Resources Act 1991 for any proposed works or structures in, under, over or within 8 meters of the top of the river bank designated 'a main river'.

Thames Water:

Thames Water raises no objections but suggests a condition to ensure that surface water discharge arrangements and/or any site drainage connections to a public sewer are not detrimental to the existing sewerage system. It also recommends an informative note in respect of water supply connection.

Individual Comments:

Representations have been received from the occupiers of no's 9, 25, 29, 31, 34 and 42 Abbey Road. Nearly all those who have commented are in broad support of residential development on the site. One respondent is opposed to the scheme. The main points raised are:

- support for the architectural style of the development;

- the development is 'in-keeping' with the area;
- the importance of matching the materials used to those of existing houses (i.e. yellow bricks, slates and working wooden sash windows);
- concern that the development is too large;
- concern at the lack of car-parking associated with the development;
- concern for highway safety;
- the suggestion that there is room to add more on-street car parking in Abbey and Cripsey Roads, which should be done as part of this application;
- visitor parking permits should be restricted;
- that opportunity is taken associated with the scheme to deliver some new street tree planting;
- that opportunity is taken to resurface pavements;
- concern that the development would overshadow the towpath;
- that the illegal mooring of boats along the towpath adjacent this site should be resolved;
- the developer needs to pay attention to the ownership of the towpath;
- concern to ensure that noise and disturbance is reduced as much as possible during the construction period;
- adequate off-pavement provision for storage and recycling bins are needed;
- development needs to augment the existing inadequate sewerage system;
- development needs to avoid the potential to create localised flooding within Abbey Road.

Pre-Application Consultation:

Pre-application consultation took place on the previous application for development on this site, ref: 13/01376/FUL, which was eventually refused and subsequently dismissed on appeal due to the absence of an acceptable scheme of affordable housing. The housing mix in the current scheme is now very different to the previous scheme and includes affordable housing. The character and design of the two schemes however, are very similar. The pre-application consultation which took place on the original scheme in May 2013 was generally supportive of the principle of residential development and its design, but raised detailed concerns regarding the adequacy of drainage, sewerage, car parking, traffic and disturbance during construction and the potential loss of privacy to neighbouring residents as a result of overlooking from rear balconies of the proposed new dwellings.

Relevant Site History

92/00687/NF - Change of use of part of buildings from Builders Merchants to Car Rental Office. PER 27th November 1992.

95/00992/VF - Variation of Condition 5 on NF/687/92 to allow extended opening hours from Monday to Friday, 0800-1800 hours and Saturday 0800-1300 hours: to Monday to Friday, 0800-2100 hours; Saturday 0800-1700 hours; and Sunday 0900-1500 hours. PER 11th September 1995.

96/01309/NT - Continued use as car rental office with extended opening hours. (Renewal of 95/992/VF). PER 15th November 1996.

98/01548/NF - Change of use to car hire/storage in conjunction with continued use of adjacent land for car hire, car rental office, car preparation area & car storage (including extension of 96/1309/NT) for temporary period of 10 years.. PER 23rd November 1999.

13/01376/FUL - Demolition of the existing buildings and erection of nine 3-storey 4-bed dwellings. REF 20th February 2014 due to an inappropriate mix of housing and the lack of affordable housing provision. Planning Appeal subsequently dismissed, 5th June 2014 on similar grounds.

Key Determining Issues:

Principle of development

Design & Character of development

Nature and Mix of Housing proposed

Impacts upon adjoining properties

Residential Amenity/Standard of Accommodation

Highway Safety

Flood Risk

Other material considerations to be taken into account are sustainability, archaeology, biodiversity and ground contamination.

Officers Assessment:

Site Location and Description

1. The application site is located within a predominantly residential area, close to Oxford Railway Station, and within walking distance of local bus routes, local facilities, and the city centre.
2. The site was originally a timber yard but was subsequently used as a car-hire office for Avis and most recently for public car parking and car washing, though these latter uses are unauthorised.
3. The site comprises an open yard/hardstanding, encircled by fairly nondescript, utilitarian buildings, some of which are open fronted. A high wall encloses the site frontage onto Abbey Road where there are two current points of access into/out of the site. Abbey Road is an attractive street of semi-detached and terraced Victorian properties mostly displaying their original architectural features.
4. Immediately west of the site lies a towpath and the River Thames, where a number of canal boats are moored. Overlooked by the site, on the other side of the river, is an area of allotments.

Proposal

5. Planning permission is sought for the erection of twelve new homes, comprising six houses and six flats, following demolition of the existing

buildings. The new homes would be created as three terrace blocks, fronting onto Abbey Lane, with one terrace containing six flats and the other two terraces, comprising three houses each. All the terraces are a uniform 2.5 storeys high.

6. The six private houses comprise two 3-bed and four 4-bed dwellings. The six flats comprise one 1-bed, three 2-bed and two 3-bed dwellings. The flats would all be affordable, with five proposed as social rented and one 2-bed flat of intermediate tenure.
7. Each of the houses has its own private garden space whilst the six flats would share a communal garden. No off-street car parking spaces are provided as part of the development, though there is on-street space immediately in front of the application site to park approximately eight or nine cars once the development is complete.
8. In common with many neighbouring properties, rear pedestrian/cycle access would be facilitated from the towpath with the development enclosed behind a low level wall and ironwork railings, to afford the new development views across the river.

The Principle of Development

9. The National Planning Policy Framework [NPPF] and Oxford Core Strategy Policy CS2 both encourage the reuse/redevelopment of previously developed land.
10. The application site is indeed previously developed land and has been allocated for residential development by Policy SP1 of the Sites and Housing Plan. As such, the principle of residential development on the site is long accepted by the Council, subject to any planning application conforming to its detailed policy requirements, including high quality design, no adverse impacts on the setting of Osney Town Conservation Area, measures to mitigate flood risk, an acceptable mix of housing, and the provision of affordable housing etc.

Design & Character of Development

11. The NPPF considers that good design is a key aspect of sustainable development. This means that the level of development within any scheme should suit the site's capacity and respond appropriately and realistically to the site constraints and its surroundings. This is reflected in Oxford Local Plan Policy CP6, which requires development to make best use of the site's capacity in a manner compatible with the site and the surrounding area.
12. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate a high-quality urban design that responds to the site and its surroundings; creates a strong sense of place; attractive public realm; and provide high quality architecture. Policy CP8 of the Oxford Local Plan 2001-2016 also states that the siting, massing, and design of development should create an appropriate visual relationship with the form, grain, scale, materials,

and details of the surrounding area. This is supported by Policies HP9 and HP10 of the Sites and Housing Plan.

13. The character of existing residential development in Abbey Road is largely Victorian. The traditional pattern of terraces and semi-detached dwellings in the area presents a very attractive residential environment. The applicant has submitted a scheme with a building style which mirrors the existing character and complements the street-scene.
14. In terms of height, the new development is 2.5 storeys, which similarly reflects the 2.5 storey housing that already exists in Abbey Road. Other properties in the immediate locality range between 2 and 3.5 storeys, so the development will look entirely within keeping with the locality and street scene in this respect.
15. In terms of materials and detailing, the submitted design shows the intention for a very clear palette of materials to reflect the yellow/buff brickwork, slate roofs, natural and painted stonework, black iron rainwater goods and white painted timber sash windows found within the immediate area. Any permission would of course, need to be conditioned to ensure samples of materials were a close match to the materials used in the immediate locality.
16. The proposal also reflects much of the architectural detailing found in the local area, introducing stonework bay windows, mullions, ironwork railings and chimney detailing into the design. This detailing is particularly strong in the elevations which present themselves onto Abbey Road.
17. To the rear, the elevations have slightly simpler, cleaner lines, but interest is created by the contrasting depth of the ground and upper floors, and features such as stonework caps, mullions, ironwork and balconies. The rear elevations of the new development will also be more open to view from the river than the commercial buildings which presently occupy the site behind high walls. Opening the site up to the river will introduce a new sense of openness along this part of the towpath, and would generally enhance views across to the site from the allotments and the Osney Conservation Area. However, care also needs to be taken here to retain the green, semi-rural appearance of the towpath, by ensuring that the views into the new development are softened by new planting. In this respect, it is considered that any permission should be conditioned to agree a landscaping plan and boundary treatments along the river frontage in advance of the commencement of development.

Nature and Mix of Housing Proposed, including Affordable Housing

18. Policy CS23 of the Core Strategy requires proposals for residential development to provide a mix of housing that complies with the mix prescribed for the Jericho and Osney Neighbourhood Area, as set out within the Balance of Dwellings Supplementary Planning Document (BoDSPD).
19. In this location, the BoDSPD suggests that residential development should not include more than 35% of units as 4+-bed homes and between 35-75% should be 3-bed units with some proportion of 1 and 2-bed accommodation welcomed.

20. The mix proposed by this application includes four 4-bed homes (ie. 33% of all homes proposed), four 3-bed homes (ie. more than 30% of all homes proposed) and includes some smaller units. The mix is therefore fully compliant with Policy CS23 and the guidance of the BoDSPD.
21. Policy HP3 of the Sites and Housing Plan is also clear that new residential development on sites with a capacity to deliver 10 or more dwellings, should include a minimum of 50% of new dwellings as affordable homes. In this case the development provides for six of the twelve new homes to be affordable, and therefore it complies fully with this requirement. The affordable element comprises a mix of 1, 2 and 3 bed properties, with five of the six affordable homes being provided as rental properties and one as an intermediate tenure. This is also therefore fully policy compliant. The delivery of the new affordable homes will be secured through a S106 agreement.
22. Policy HP2 of the Sites and Housing Plan requires all new dwellings to meet Lifetime Homes standard and on sites of 4 or more dwellings, at least one dwelling should be either fully accessible or easily adapted to full wheelchair use. The new homes meet the Lifetime Homes standard in terms of internal space, but have steps up to entrance floor levels to ensure they are less susceptible to flooding and this prevents full compliance with the standard. Officers are satisfied however that the proposals have taken all practical steps to comply with Policy HP2.

Impacts upon Adjoining Properties

23. 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 Policies CP1 and CP10 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan.
24. In terms of noise and disturbance, the construction of the new homes on the site will at times be noisy whilst construction lasts, but that will be for a relatively short period and does not give rise to any unacceptable impact on the amenity of neighbouring occupiers.
25. In terms of overlooking and privacy, the closest part of the development to no.4 Botley Road is about 20m. This is a 'side-to-back' distance rather than a 'back-to-back' distance and is considered to be an acceptable level of separation to safeguard the residential amenity of that property. No's 6 and 8 Botley Road are part of an annexe to the River Hotel, and the impact on the rear garden is considered to be similarly acceptable.
26. The proposed balconies to flats 1-6 will directly overlook their communal garden space and will have tangential views into the garden space of neighbouring properties in Botley Road, which are already well screened by mature planting within the rear curtilage of those neighbouring properties.

There is also a second floor window in the kitchen of Flat 5 which looks out towards the rear curtilage of no. 4 Botley Road, but which again, is screened by the substantial mature trees within the curtilage of that property.

27. To the north, the new development abuts no. 3 Abbey Road. Due to the depths of the new homes being proposed, the side wall of Plot 12 at first and second floor level, projects about 5 metres beyond the original rear elevation of no. 3 however, care has been taken by the developer to set back the side wall of Plot 12 by some 3 metres, so that loss of sunlight/daylight to no.3 has been minimised. The removal of the existing commercial buildings that border no.3 Abbey Road will also considerably improve the outlook from that property.
28. In terms of overlooking and privacy issues therefore, officers judge that the relationship between the new dwellings and the adjoining residential properties in Abbey and Botley Road is acceptable.

Residential Amenity/Standard of Accommodation

29. The proposed dwellings are designed to provide a good level of internal space and comfortably comply with minimum size standards set out in Sites and Housing Plan Policy HP12. The rooms are all of usable size, have a pleasant outlook, access to daylight and adequate space for storage.
30. In terms of external space, each of the six family homes are provided with their own private garden of a good size and also benefit from private balcony space leading from the first floor. The six flats will share a communal garden area, with ground floor flats having direct access into the communal garden. The four 'upstairs' flats also have their own private balconies. All the new dwellings are therefore considered to have acceptable levels of external amenity space and comply with this aspect of Policy HP13.
31. Each of the garden spaces also has side or rear access from the towpath, to facilitate convenient access to bins and secure cycle parking, ensuring that bins and cycles do not need to be taken through the properties. The design and location of secure cycle and bin stores within the rear garden areas however, needs to be conditioned to ensure that they do not detract from the appearance of the development or locality.

Highways & Transport Matters

32. The proposals do not include any provision for off-street car parking. Such provision would have resulted in the buildings being set back from the street frontage to the detriment of the strong and established rhythm of existing development within the street which it is particularly important to preserve.
33. Given the site's location so close to the railway station and the city centre as well as its location within a controlled parking zone, officers are content to support a car-free development in this location and consider this to comply with Policy HP16 of the Sites and Housing Plan.
34. Whilst Abbey Road is subject to local parking pressure, the loss of commercial

(previously car rental) premises is also likely to reduce the actual number of traffic movements within the street and any on-street parking associated with that use. There is also a significant length of dropped kerb along the frontage of the site,. The re-instatement of this kerb is appropriate as part of this development and will create about eight or nine additional on-street parking spaces. If approved, a condition will be imposed to require re-instatement of the kerb at the applicant's expense, prior to occupation of the new homes so that the full length of the site frontage can be returned to on-street parking for local residents.

35. Whilst the Highway Authority does not raise any objection to the scheme and indeed, welcomes its design as one that is essentially 'car-free', it argues that occupiers of the development might be excluded from having the right to parking permits for the Controlled Parking Zone within which it sits. However, officers do not consider it reasonable to prevent this development, which includes several family homes, from having access to at least one car. Consequently, if the application is approved, officers recommend imposing a condition to require variation of the traffic regulation order to entitle the 3-bed and 4-bed units to one residents' parking permit each.

Flood Risk

36. A small proportion of the application site lies within Flood Zone 3 as defined by the Environment Agency. This means the site is at a higher risk of flooding (greater than 1 in 100 years) though there is no evidence of flooding of the site in recent times. The site has been allocated in the Sites & Housing Plan taking account of the Council's strategic flood risk assessment (SFRA) and it is therefore not necessary to test the appropriateness of developing the site for residential purposes again at this stage. Indeed, Government guidance in the NPPF makes it clear that 'sequential' and 'exception' testing of sites when determining planning applications does not need to be applied to allocated sites where this approach will have already been undertaken in the SFRA.
37. The application is also accompanied by a site-specific flood risk assessment. This has been assessed by the Environment Agency and no objections are raised.
38. The assessment indicates that the proposals will result in a reduced amount of developed floorspace with greater flood-water storage potential. Floor levels of the houses are raised to reduce the impact of flood water in the event that flooding of the site occurs. The spacing of new buildings will also allow for better dispersal of flood-water than the existing buildings/hardstanding on site.
39. Officers are content that the proposals take all reasonable steps to reduce flood impact for future occupiers of the houses and that by improving permeability of the site the risk of flooding locally will be reduced. The proposals are therefore judged to accord with Policy SP1 of the Sites & Housing Plan and Policy CS11 of the Core Strategy. However, any permission should be subject to the conditions suggested by the Environment Agency.

Archaeology

40. The application site is located on Osney Island and may have been formed in the late Saxon period as a result of artificial channelling of the River Thames in order to create the channel now known as Castle Mill Stream. It is also speculated that the sub-oval island has characteristics of a Late Iron Age oppidum, however there is no firm evidence to support this hypothesis (Oxford Archaeological Resource Assessment- The Iron Age (2011)).
41. The site is also of interest because it was previously occupied by a notable 19th century building firm (Thomas H. Kingerlee & Sons) who remain active and retains a number of late 19th century/early 20th century structures from this time. The Victoria County History notes that the growth of the Oxford suburbs in the later 19th preserved the building industry as a mainstay of the city's economy and T.H. Kingerlee, at times employed between 400 and 500 men (VCH 1979).
42. The NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement should be taken, having regard to the scale of any harm or loss and the significance of the heritage asset. Where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.
43. In this case, mindful of the scale and nature of the development, the City Archaeologist recommends any permission should include a condition requiring archaeological investigations to take place. The form of the investigations recommended would require a Level II photographic survey of the 19th Century buildings and contemporary structures followed by post-demolition (to ground level only) trial trenching, and further mitigation if required. All work undertaken would require a professionally qualified archaeologist working to a brief issued by the Council's Archaeologist.

Biodiversity

44. The existing buildings have been recently surveyed but appear unlikely to be used for bat roosts. However, there are records of Daubenton bats using the canal for foraging and as a flight path. Given the size of the development proposed there is also potential to include biodiversity enhancements including maternity roosts for Daubenton bats. Policy CS12 of the Core Strategy expects developments to incorporate ecology enhancements where possible. If permission is given, officers recommend a condition requiring the submission and agreement of biodiversity enhancement measures and their incorporation within the development. In addition, a condition is also suggested to require development to take place in accordance with the recommendations of the applicant's Bat Report, ensuring that the soft stripping of the slates off existing buildings does not adversely impact on bat populations, given the possibility that bats might inhabiting the buildings despite the findings of the report.

Contaminated Land

45. A Desktop Study and Site Investigation Report submitted with the application conclude that the site will need some remediation from contaminants. The report considers adding a capping layer as remediation however, as part of the site is located within a flood zone, this is not considered to be an appropriate approach given that a flooding incident may lead to contaminants leaking into the watercourse. In this respect, it is recommended that any permission is also conditioned to ensure the submission and agreement of an alternative method of remediation.

Sustainability

46. The application makes clear that development is designed to make best use of previously developed land. The garden spaces to be created will provide opportunity to introduce trees, planting and to develop new garden habitat for wildlife. The application also states that the development is being designed to exceed the most up to date building regulations, reducing energy consumption by building in materials that are highly energy efficient and introducing air source heat pumps to help heat the development. The applicant forecasts that these measures will achieve a 34.4% reduction in potential energy use, which is significantly beyond the requirements of Policy HP11 of the Sites & Housing Plan.
47. The development is also proposed to be built with no off-street car parking, recognising the convenience of this location to the railway station, local facilities, bus services and the city centre.

Conclusion:

48. The proposed redevelopment makes an efficient use of previous developed land within a predominantly residential area and will facilitate the demolition of underutilised buildings, originally occupied as a timber yard and more recently as a car rental office. The existing buildings are of a poor appearance and condition and detract from the appearance of the locality and street-scene. The overall layout, scale and design of the proposed buildings are attractive and sympathetic to the site and its surroundings while safeguarding the residential amenities of neighbouring properties. The proposed development will provide high quality housing for future occupants and delivers much needed new affordable housing for the city. The proposal is acceptable in highways terms and energy efficiency and does not create any biodiversity, environmental or flooding impacts. The development therefore accords with the National Planning Policy Framework and policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016 and the Sites and Housing Plan 2011-2026.
49. The scheme is recommended for approval subject to conditions and a S106 legal agreement to secure affordable housing.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and a S106 agreement. 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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: Previous application and planning appeal relating to ref: 13/01376/FUL.

Contact Officer: Trevor Saunders

Extension: n/a

Date: 10th November 2015