

East Area Planning Committee

3rd August 2016

Application Number: 16/01631/DEM

Decision Due by: 11th August 2016

Proposal: Application to determine whether prior approval is required for the method of demolition.

Site Address: Murco Service Station Between Towns Road Oxford OX4 3LZ

Ward: Cowley Ward

Agent: Mrs Julia Castle

Applicant: Mrs Julia Castle

The application is to be considered by East Area Planning Committee as the application is being made by Oxford City Council.

Recommendation: East Area Planning Committee is recommended Prior approval required and granted.

For the following reasons:

- 1 The Local Planning Authority would confirm that prior approval is required for the method of demolition and proposed restoration of the site. However the Demolition Statement and Job Safety Analysis submitted with the application are considered acceptable under the requirements of Part 11, Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.
- 2 In accordance with the requirements of condition B.2 (b) (viii) (bb) and (ix) (aa) the development must be carried out in accordance with these details and within 5 years from the date of this approval.

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP19 - Nuisance

CP21 - Noise

CP22 - Contaminated Land

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

64/15395/A_H - Petrol filling station and motor showrooms. PER 8th September 1964.

66/18119/A_H - Development of site to provide petrol filling station and vehicle service building. PER 25th October 1966.

67/18717/A_H - Outline application for the erection of a building to provide car safety centre with showroom and tyre fitting area. PER 9th May 1967.

70/23329/A_H - Extensions, alterations and additions. PER 13th October 1970.

71/23329/A_H - Extensions, alterations and additions (revised). PER 8th June 1971.

80/00596/NF - Extension to existing sales kiosk and change of use of car wash bay to M.O.T. Bay.. PER 28th July 1980.

15/01898/FUL - Change of use from filling station to car wash (retrospective). APPRET .

Representations Received:

None

Statutory Consultees:

None

Officers Assessment:

1. This application is made on the basis of Schedule 2 Part 11 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 and seeks to ascertain whether or prior approval is required in relation to the method of demolition.
2. The application is accompanied by a Demolition Statement, the Demolition Method Statement for the Break Out and Removal of Existing Tanks (Oxford CC 02), and the Demolition of Existing Structures (Oxford CC 03), both dated 25/06/16, produced by Dakin Service Station Contractors Ltd.
3. These methods describe the safe demolition of existing structures and removal of the underground storage tanks. They have detailed that soil samples will be taken from the tank excavations to determine any residual contamination. All excavations will be backfilled with suitable materials and

covered in a level surface of concrete.

4. The demolition statement also includes details of protection measures for the large, mature horse chestnut tree and the silver birch trees along the Between Towns Road frontage.

Conclusion:

5. Officers are satisfied with the proposed methods of demolition, tank removal, site restoration, and tree protection. As such, officers recommend that the East Area Planning Committee grants prior approval for the proposed demolition.

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.

Background Papers: 16/01631/DEM

Contact Officer: Nadia Robinson

Extension: 2697

Date: 21st July 2016

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