

West Area Planning Committee

14th March 2017

Application Number: 16/03189/FUL

Decision Due by: 10th February 2017

Proposal: Demolition of existing public house. Erection of a four storey building to create 7 flats (5 x 2-bed and 2 x 1-bed flats (Use Class C3)). Provision of bin and cycle store.

Site Address: 8 Hollybush Row Oxford OX1 1JH

Ward: Carfax Ward

Agent: Mr H Venners

Applicant: Linea OX1 Ltd

Recommendation:

The West Area Planning Committee is recommended to GRANT planning permission for the reasons below, subject to conditions and the satisfactory completion of a Section 106 agreement to secure a contribution to affordable housing and to delegate authority to the Head of Planning and Regulatory Services to issue the permission

Reason:

- 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plns
- 3 Variation of Road Traffic Order Hollybush Row,
- 4 Materials as approved
- 5 Salvage of material
- 6 Screening
- 7 Construction Traffic Management Plan
- 8 Contaminated Land - Watching Brief
- 9 Surface Water Drainage Statement
- 10 Surface Water Drainage Maintained

- 11 Cycle storage
- 12 Bin Storage
- 13 Energy efficiency
- 14 Archaeological Investigation

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP10** - Siting Developmnt to Meet Functionl Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP19** - Nuisance
- CP21** - Noise
- CP22** - Contaminated Land
- CP6** - Efficient Use of Land & Density
- CP8** - Design Developmt to Relate to its Context
- RC18** - Public Houses
- TR3** - Car Parking Standards

Core Strategy

- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS18_** - Urb design, town character, historic env
- CS23_** - Mix of housing
- CS24_** - Affordable housing

Sites and Housing Plan

- HP11_** - Low Carbon Homes
- HP12_** - Indoor Space
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking
- HP4_** - Affordable Homes from Small Housng Sites
- HP9_** - Design, Character and Context

Other Material Considerations:

- National Planning Policy Framework
- Planning Practice Guidance
- Balance of Dwellings Supplementary Planning Document
- Affordable Housing and Planning Obligations Supplementary Planning Document

Relevant Site History:

15/02694/FUL - Demolition of existing public house. Erection of four storey building to provide 5 x 1-bed and 2 x 2-bed flats (Use Class C3). Provision of private amenity space, bin and cycle storage. Permission 27th May 2016.

16/01541/FUL - Demolition of existing public house. Erection of four storey building to provide 5 x 2-bed and 2 x 1-bed flats (Use Class C3). Provision of private amenity space, bin and cycle storage. Current Appeal against Non-determination

16/01655/VAR - Variation of condition 2 (approved plans) of planning permission 15/02694/FUL to allow amendments to approved plans including insertion of windows to south elevation, alteration to window position on front elevation, amendments to internal layout and amendments to bin and cycle store to provide individual store.. Pending consideration

15/02694/CND - Details submitted in compliance with conditions 5 (Sample materials), 6 (Existing materials), 9 (Construction Traffic Management Plan) and 12 (Drainage) of planning permission 15/02694/FUL. Approve 24th October 2016..

15/02694/CND2 - Details submitted in compliance with conditions 7 (Development to salvage existing material) and 11 (Details of underground services and soak) of planning permission 15/02594/FUL.. Approved 24th October 2016.

Representations Received:

No public comments received.

Statutory and Internal Consultees:

North Hinksey Parish Council: No response received.

Highways Authority: No objection subject to conditions; site in highly accessible location and should be car free; flats should be excluded from CPZ; adequate bin and bike storage provided; construction traffic management plan required given city centre location.

Archaeologist: No objection subject to condition to ensure written scheme of investigation prior to commencement of works.

Land Quality Officer: No objection subject to condition for watching brief.

Flood Risk and Drainage Officer: No objection subject to condition to ensure that development carried out in accordance with surface water drainage details.

Issues:

Principle of Development
Scale and Design

Quality and mix of residential units
Affordable housing
Parking and transport
Impact on neighbouring properties
Other Matters

Officers Assessment:

Site Description and Surrounding Area

1. The application site and its surroundings fall within the city centre and the West End (city centre commercial area) as depicted on the Local Plan Policies Map. The site falls within the Carfax ward. The area is of a predominantly mixed-use in character, a built form comprising of both two and three storey buildings, ranging from terrace to detach. A character appraisal reveals that buildings in the locality are not necessarily uniform in architectural style, with disparities shown by way of detailed fenestration and use of materials, building heights, roofshape/roofslope.
2. The site comprises a closed public house known as 'The Adventurer', a partly two-storey, partly single-storey building. The building comprises a roof-shape that is pitched with two end-gables, constructed of glazed red brick, dark grey plain roof tiles, and painted timber cladding. The upper floor has three windows with a painted pebbledash finish to the upper floor elevation. The fascia is full-width with brackets.

Proposed Development

3. Permission is sought for the replacement of the existing public house with a contemporary four-storey building containing 7 flats (5.No, 2-bed and 2.No. 1-bed self-contained flats), to include provisions for internal bin and bicycle storage.
4. The proposal differs from the previously consented scheme in the following:
 - New windows to southern elevation
 - Increased and depth of upper storey
 - Creation of new bin and bicycle storage spaces to ground floor rear
 - Reconfiguration of units and terraces to upper floors
 - Realignment of windows on elevations

Principle of Development

5. The principle of development has been established by the previous planning permission which is extant and is therefore a material consideration in the determination of this application. The previous permission established the acceptability of the demolition of the building, the loss of the public house and the creation of residential units on this site. It is not considered that there has been any change planning policy or circumstance since that decision. The principle of development is considered acceptable and complies with policies RC18, CP1 and CP6 of the Local Plan.

Design and Scale

6. As noted above, the demolition of the building and the overall design approach of the replacement building have been accepted under the previous planning permission. Conditions are recommended to ensure that the development is carried out in accordance with previously approved document on the salvage of existing materials at the site.
7. The changes to the design proposed under the current building are considered acceptable. The increase in height and depth would be very modest in the context of the overall building. The new building would remain subordinate to the neighbouring block at King Charles House and the changes would not make it overly visually prominent in the context of the surrounding area.
8. The changes to the rear of the building at the ground floor and upper floors would not harm the visual appearance of the area. The high boundary walls and relationship to surrounding development will mean that these changes are not readily visible from outside the site. The minor changes to the fenestration on the front elevation would respect the overall form of the building and the context. The introduction of new windows on the southern elevation are small in scale and set back from the main facades of the building. Although the side elevation of the building would be visible in public realm the new windows would not detract from the overall visual amenity of the area.
9. The details of the materials for the building have been previously approved as part of the conditions for the original planning permission. Conditions are recommended to be attached to the current application to ensure that the build is carried out in accordance with these details.
10. The design and scale of the building would comply with the relevant policies of the Local Plan, Sites and Housing Plan and Core Strategy.

Quality and mix of residential units

11. The mix of the proposed residential units remains the same as in the existing permission. There is no specific requirement for mix of units in small developments within the City Centre. The proposed mix therefore complies with policy CS23 and the Balance of Dwellings Supplementary Planning Document.
12. The proposed residential units would all have internal space standards in excess of the minimums set out in the Nationally Described Space Standard. They provide a good standard of internal accommodation. All units have access to private external amenity space. The space provided is acceptable for the size of units in a city centre location. The proposed units comply with policies HP12 and 13 of the Sites and Housing Plan.

Affordable housing

13. Policy HP4 requires small sites such as this to make a financial contribution towards the provision of affordable housing within the city. The application was originally submitted with information seeking to demonstrate that the scheme would not be viable if any affordable housing contribution was made.
14. This viability information has been independently reviewed on behalf of the Council. The conclusion of that review is that the scheme can support a fully policy compliant affordable housing contribution. Following that review, the applicant has now agreed to enter into a legal agreement to provide an affordable housing contribution in line with policy HP4. The application is recommended for approval subject to the legal agreement being completed.

Parking and transport

15. No car parking is proposed with the application. Given the city centre location, this is acceptable and replicates the extant permission. A condition is recommended to ensure that the development is excluded from the Controlled Parking Zone to make sure that the development does not add pressure to parking in the local area.
16. Individual bike storage is provided for each unit. The storage would be secure and covered. A condition requiring it to be built prior to occupation is recommended. A further condition is recommended to ensure that the development is carried out in accordance with the approved Construction Traffic Management Plan. Subject to these conditions, the proposal would comply with policies TR3 of the Local Plan and HP15 and HP16 of the Sites and Housing Plan.

Impact on neighbouring properties

17. The impact on the adjoining properties was fully considered as part of the previous application. The changes to the building would not create any additional harmful impacts to neighbouring sites. As noted above, the changes to height and footprint are modest and remain subordinate to surrounding buildings. There would be no loss of light nor overbearing impact to neighbouring sites. The introduction of windows to the side elevation would look towards neighbouring properties, the distance involved and small size of the windows would prevent any material loss of privacy. Overall, the proposals comply with policy HP14 of the Sites and Housing Plan.

Other Matters

18. The application is considered acceptable in relation to contaminated land and archaeology subject to the recommended conditions. The site lies in Flood Zone 1 and is not at a high risk of flooding. The scheme is acceptable subject to the recommended conditions to ensure that surface water drainage is dealt with correctly.

Conclusion:

19. The Committee are recommended to Grant planning permission for the reasons set out in the report above, subject to the recommended conditions and the legal agreement to secure an affordable housing contribution.

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

Background Papers:

Contact Officer: Sian Saadeh

Extension: 2809

Date: 3rd March 2017

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