

## WEST AREA PLANNING COMMITTEE

31<sup>st</sup> October 2017

**Application Number:** 17/01941/FUL

**Decision Due by:** 26<sup>th</sup> September 2017

**Extension of Time:** 7<sup>th</sup> November 2017

**Proposal:** Erection of 3 x 3-bed dwellings (Use Class C3). Provision of private amenity space, cycle parking and refuse storage. (Amended plans)

**Site Address:** 225-229  
Banbury Road  
Oxford  
OX2 7HQ

**Ward:** Summertown Ward

**Agent:** JPPC

**Applicant:** Tarwood Properties Ltd

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**Reason at Committee:** The application is before the committee because it was called in by Councillors Fooks, Goff, Wilkinson, Wade and Landell Mills because of concerns that the development would have on the access arrangements, the impact on neighbours and the adequacy of the amenity space.

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## 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.**

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

## 2. EXECUTIVE SUMMARY

2.1. This report considers the erection of 3x3 bedroom dwellinghouses, provision of private amenity space, cycle parking and refuse storage. The plans also show new staircases for the access to flats of No. 227 and No. 229 Banbury Road. The proposal is a car-free development, which is very welcomed in this well-connected and accessible location. The access to the site will be via the existing narrow alleyway located between Nos 227 and 229 Banbury Road. The proposal

is set away from the properties along Stratfield Road and will be located within close proximity to the properties along Banbury Road. It is considered that the development would not detrimentally affect the residential amenity of the neighbouring properties. Each dwelling would have a reasonable size garden and balcony, which would be south facing. Each garden would have a gated entrance, which would give future occupiers more flexibility in terms of cycle storage and access to their property. The proposal due to its size, scale, layout, location would make an efficient use of land. The design of the proposed development is considered to be acceptable.

2.2. The key matters for assessment set out in this report include the following:

- Principle of development;
- Design;
- Residential amenity
- Impact on the neighbouring properties
- Landscaping;
- Cycle and bin storage;
- Car parking;
- Flooding;
- Energy/ Sustainability
- Archaeology

2.3. Officers consider that the proposal would be acceptable in all regards and would be in accordance with the relevant National and Local Policies.

### **3. LEGAL AGREEMENT**

3.1. Not applicable.

### **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

4.1. The proposal is liable for CIL. The total amount required is £38,568.56.

### **5. SITE AND SURROUNDINGS**

5.1. The site is located behind Nos. 225, 227 and 229 Banbury Road. The site is accessed via a passage between Nos. 227 and 229 Banbury Road. Nos. 225-229 Banbury Road comprises three storeys Victorian buildings, which face directly onto the Banbury Road. The properties feature retail units on the ground floor and the upper levels of the buildings are residential. To the West, the application site shares the boundary with gardens serving properties 14-18 Stratfield Road, to the North with No. 231 Banbury Road and to the South 223 Banbury Road.

5.2. The existing land is reported as being previously used as a gravel surface parking area, which has become overgrown.

5.3. Site location plan: attached at Appendix 1.

## 6. PROPOSAL

- 6.1. The application proposes the erection of 3x3bedrooms dwellings (Use Class C3) and provision of private amenity space, cycle parking and refuse storage. The plans also show new staircases for the access to flats on the first floor of No. 227 and No. 229 Banbury Road.

## 7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site:

Application Reference	Description of Development	Decision
08/01984/FUL	Alterations to nos. 225, 227 and 229 Banbury Road and extensions to provide additional retail floorspace. Conversion and alterations to the first and second floors to provide 2x1 bed flats and 1x2 bed flats at 225 and 227 and 2-bed maisonette at 229. 4x2 bed flats to rear above the retail areas, cycle parking, bin storage and landscaping.. REF 18th December 2008.	REFUSED 18th December 2008

## 8. RELEVANT PLANNING POLICY

- 8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7 [paragraphs 56, 57, 58, 60, 61]	CP.1, CP.8, CP.9,	CS18	HP9	
Housing	6	CP.5, CP.6, CP.10	CS23, CS24,	HP4, HP10, HP12, HP13, HP14	Balance of Dwellings SPD, Affordable Housing and Planning Obligations, Space Standards TAN,

Natural Environment	9, 11, 13	CP.11,	CS9, CS11, CS12	HP11	Natural Resource Impact Analysis SPD
Transport	4			HP15, HP16	Parking Standards SPD
Environmental	10	CP.22			Energy Statement TAN
Misc	5			MP1	

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 5<sup>th</sup> September 2017.

### **Statutory and Non-Statutory Consultees**

#### Oxfordshire County Council (Highways)

9.2. No objection subject to a conditions requiring cycle parking, parking permits, drainage details and construction traffic management plan.

#### Flood Mitigation Officer

9.3. Oxford City Council's Flood Mitigation Officer raised no objections to the proposal subject to a condition requiring drainage details be submitted prior to commencement.

#### Archaeological Officer

9.4. No objections subject to a condition requiring details of the implementation of the programme of archaeological work.

#### Land Quality Officer

9.5. No objections subject to informative on any unexpected contamination.

### **Public representations**

9.6. One letter received from residents of 18 Stratfield Road. The writer did not object to the proposal in principle. However, comment has been made regarding the proposed boundary treatment.

### **Officer Response**

9.7. The comment made by Oxfordshire County Council Highways Authority

regarding provision of cycle spaces is no longer relevant as amended plan has been provided to add one additional cycle space per dwelling.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design;
- iii. Residential amenity
- iv. Impact on the neighbouring properties
- v. Landscaping;
- vi. Cycle and bin storage;
- vii. Car parking;
- viii. Flooding;
- ix. Energy/ Sustainability
- x. Archaeology

### **i. Principle of Development**

10.2. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value. Policy CS2 of the Oxford Core Strategy states that development will be focused on previously developed land. Policy HP10 of the Sites and Housing Plan states that planning permission will be granted for new dwellings on residential garden land provided that the proposal responds to the character and appearance of the area, taking into account the views from streets, footpath and the wider residential and public environments and the size of plot to be developed is of an appropriate size and shape to accommodate the proposal, taking into account the scale layout and spacing of existing and surrounding buildings, and the minimum requirements for living conditions set out in Policies HP12, HP13 and HP14 of the Sites and Housing Plan. Policy CP6 states that planning permission will only be granted where development proposals make maximum and appropriate use of land. Policy CS23 states that planning permission will only be granted for residential development that delivers a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The Balance of Dwellings Supplementary Planning Document (BoDSPD) seeks to ensure that an appropriate mix of dwelling sized will be provided in new developments.

10.3. The site was probably historically used as residential gardens. However, due to the change of uses of the properties on the ground floor the use of the land changed. Looking at the application site's history there is an application at 225 Banbury Road (Ref. 77/00797/A\_H) for a change the use for garage to ancillary to adjacent shop and formation of parking at rear. The site is not currently used as a car park and is overgrown and largely disused. As a result of its previous use for car parking it is likely that the site (or large parts of it) would be considered to be previously developed land. Policy CS2 together with the National Planning Policy Framework (NPPF) require that previously developed

land should be the focus of new development. As a result, the proposed development would be broadly acceptable in principle.

- 10.4. Following on from the above the application site also lies in a District Centre and therefore benefits from excellent access to a range of local services and facilities as well as good access to public transport. The site is therefore a sustainable location for housing.
- 10.5. The application site lies within the District centre (Summertown). BoDSPD does not specify the specific mix of unit sizes for development of 1-9 units. The BoDSPD states that the District centres have the potential to provide for higher densities, which would allow for a grates properties of smaller units but at the same time encourages 'family housing'. The promotion of residential accommodation in these centres will add to their overall vitality and viability. The existing District centres are accessible and have good public transport links. There would also be opportunity for car-free or at least limited car-parking facilities. Therefore provision of 3x3 bedrooms dwellings would not conflict with the Policy CS23 and the BoDSPD.
- 10.6. Officers consider that the proposal is acceptable in principle.
- 10.7. The proposed development provides less than four dwellings and the site is smaller than 0.25 hectares, therefore no financial contribution towards the provision of affordable housing in Oxford is required.

ii. **Design and Impact on Character of Surrounding Area**

- 10.8. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9, HP13 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character.
- 10.9. The proposed development would only be partially visible from Banbury Road. Therefore, it is considered that due to the narrow alleyway and the distance from the main road, the proposed development would not have an adverse impact on the streetscene.
- 10.10. Each dwelling would be two storey, with a pitched roof, balcony and solar panels installed on the western roofslope. The proposed dwellings would be approximately 7.3m in height. The height of the proposed development is lower than the properties in the area, however the development would sit comfortably within this area. The proposed solar panels would not be visible from the streetscene and from the site entrance as they would be located on the roofslope facing Stratfield Road. The proposed eastern elevation features a red-brick soldier course and some planting to soften the visual appearance of this blank

elevation.

- 10.11. The scale and size of the proposed development is considered to be appropriate. The proposed dwellings, due to their sympathetic design, would provide a good visual appearance. The design of the proposed development is considered visually acceptable and not overly dominant. The proposal is considered to make appropriate use of the space available. The form, scale and appearance of the proposed dwellings and their relationship with the surrounding built environment is considered to be appropriate.
- 10.12. A condition is recommended to be imposed to provide samples of the exterior materials to ensure that the materials are of a high quality and visually appropriate.

### **iii. Residential Amenity**

- 10.13. Policy HP12 states that planning permission will only be granted for new dwellings that provide good-quality living accommodation if each dwelling has its own lockable entrance, its own kitchen and at least one bathroom; the space provided within each room allows for reasonable furnishing, circulation and use of household facilities in each part of the house; each dwelling provides adequate storage space. Planning permission will not be granted if the proposed dwelling does not comply with the minimum space standard and if inadequate ceiling height, lack of natural lighting or natural ventilation, or restricted outlook prevents proper use and enjoyment of the dwelling. Oxford City Council's Technical Advice Note 1A: Space Standards for Residential Development states that the Government set out how they wished local planning authority to implement the New National Standard. In cases where a Local Plan already included internal space standards, the internal space should be interpreted by reference to the nearest equivalent new national technical standard. Policy HP13 of the Sites and Housing Plan states that planning permission will only be granted for new dwellings that have direct and convenient access to an area of private open space.
- 10.14. The minimum gross internal floor area for a 3 bedroom, 2 storey, 5 person dwelling described in the National Space Standard needs to be 93sqm and the dwelling needs to also have a minimum of 2.5sqm built-in storage. A single bedroom has to be at least 7.5sqm and at least 2.13m wide. A double bedroom has to be at least 11.5sqm and at one bedroom has to be at least 2.75m wide and every other double bedroom has to be at least 2.55m wide.
- 10.15. Each dwelling would have an internal floor area of approximately 106sqm, which exceeds the National minimum standard.
- 10.16. Each single bedroom would be approximately 7.7sqm and 2.3m wide, therefore the proposal complies with the space standard.
- 10.17. Each double bedroom would be approximately 12.6sqm and 3.1m wide, therefore the proposal complies with the space standard.

- 10.18. Various built-in storage for each dwelling would be provided including storage under stairs, built-in cupboard by the entrance and built-in wardrobes in each double bedrooms. The provision of the built-in storage exceeds the minimum standard.
- 10.19. Each dwelling would have a south facing garden and a balcony on the first floor. All gardens could be accessed without the need to go through the properties they serve. The sizes of the gardens would vary between approximately 44sqm to 52sqm. It is acknowledged that the size of the gardens would be small, however it is considered that due to the location and layout of the plots, sun orientation, design of the dwellings and the additional balcony, the provision of the private amenity space would be sufficient. It is recommended that permitted development rights for extensions and outbuildings be removed by condition to ensure that the gardens are retained with the size as proposed.

#### **iv. Impact on Neighbouring Amenity**

- 10.20. Policy HP14 of the Sites and Housing Plan states that planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes. HP14 also states that planning permission will not be granted for any development that has an overbearing effect on existing homes.
- 10.21. The proposed development would impact on the properties along Stratfield Road and Banbury Road. The distance between the rear extension of No. 18 Stratfield Road, which is located the closest to the proposed development would be approximately 22m. The distance between the side elevation of No. 233 Banbury Road and the front elevation of the proposed development would be approximately 11m. The distance between the flats on first floor level of 229, 227 and 225 Banbury Road would be approximately 7.9m. The distance between the side elevation of the 223 Banbury Road and the proposed development would be approximately 7.8m. The distance between the side elevation of 221 Banbury Road and the proposed development would be approximately 13.2m. The proposed development would sit lower than the properties along Banbury Road and Stratfield Road.

#### **Privacy**

- 10.22. The proposed development does not feature any side windows facing Nos. 225-229 Banbury Road and Nos.14-18 Stratfield Road, therefore it is considered that the proposed development would not create any overlooking issue in this respect.
- 10.23. The proposed development features balconies at the first floor level. The balconies would feature a brick wall to the side, therefore the views out onto the gardens of No.14 and No. 16 Stratfield Road would be restricted. The balconies would allow a view out further onto the gardens along Stratfield Road, however the views would be restricted by the existing boundary treatment, extension at No. 221 Banbury Road and the store building at No. 223 Banbury Road. The view would also be restricted as it would be of an acute angle. Therefore no



direct overlooking onto the neighbouring windows would occur. The proposed balconies would directly look out at the rear of properties 223 and 221 Banbury Road. No. 221 features a very long extension and it does not have any side windows and No. 223 features a ground floor extension with windows serving a commercial property, therefore the proposed development is not considered to be detrimental in terms of loss of privacy to the neighbouring properties. The impact of the balconies, due to the location of each proposed dwelling would be different from each property. The impact of the balconies for the proposed dwellings closer to the Banbury Road would be minimal due to the acute angle, existing boundary treatment and existing extensions at the neighbouring properties.

- 10.24. The proposed closed-boarded fence and vegetation along the boundaries would create an additional level of privacy on the ground floor.
- 10.25. The proposed windows for each property would be either north or south facing to reduce the overlooking onto habitable rooms of the properties along Stratfield Road and the residential units along Banbury Road.
- 10.26. It is not considered, that the proposed development would have an unacceptable level of overlooking or cause of loss of privacy, due to the distance between the neighbouring properties and design of the proposed dwellings. Officers recommend that the proposed development is therefore acceptable in terms of its impact on privacy as required by Policy HP14 of the Sites and Housing Plan (2013).

#### Overbearing

- 10.27. The proposed development would be located close to the boundary with properties along Stratfield Road and to the properties along Banbury Road. The proposed development would change the outlook afforded to the neighbouring properties. However it is considered that due its scale, size, design and distance, the proposed development would not be considered overbearing or unduly affect the outlook to the occupiers of the neighbouring properties and the additional impact is not significant enough to refuse the application. Due to the pitched roof of the proposed dwellings, a lot of the bulk of the roof will be set away from the neighbouring properties, which would reduce the impact.

#### Loss of light

- 10.28. The existing properties along Banbury Road already affect the light in the alleyway and the proposed courtyard. The proposed development due to its layout and design would impact on sun/daylight for the rear of 231 Banbury Road and the bottom of the rear gardens of properties along Stratfield Road. However, due to the sun orientation, the size and scale of the proposed development, distance from the neighbouring habitable windows and the design, it is not considered that the proposed development would cause unacceptable levels of harm to the amenities of the neighbouring properties in term of loss of light. As a result, Officers recommend that the development complies with the requirement of Policy HP14 of the Sites and Housing Plan (2013) and specifically the

requirements of the 45/25 degree code set out in that policy.

**v. Landscaping**

Landscaping and lighting

- 10.29. The preamble to Policy CS11 of the Oxford Local Plan states that hard and soft landscape make a major contribution to the attractiveness of a development. The layout and treatment of the surrounding space will determine the way people use and move through the space and how it will contribute to the character of an area. All outdoor spaces should be landscape designed as an internal part of the development proposal to enhance the function and character of the spaces and help integrate the development into its surroundings.
- 10.30. The submitted plans show very limited landscaping design. It is considered that to enhance the overall setting of the proposed dwellings and to integrate it with the surrounding area, a condition is recommended to be imposed to ensure that the landscaping plan shall be submitted to and approved in writing by the Local Planning Authority. To improve the security within the development, a condition is recommended to be imposed in terms of provision of outdoor lighting.
- 10.31. The boundary treatment along Stratfield Road needs to be carefully designed so that this very narrow space, does not become an unusable space, however at the same time will have to provide screening to provide additional level of privacy.
- 10.32. Details of the landscaping, lighting and boundary treatment are recommended to be secured by condition.

**vi. Transport**

Car Parking

- 10.33. The proposed development would be 'car-free'. The development is in a very sustainable location within a Transport District Area. Policy HP16 of the Sites and Housing Plan states that planning permission will be granted for car-free or low-parking houses and flats in locations that have excellent access to public transport, are in a controlled parking zone, and are within 800metres of a local supermarket or equivalent facilities.
- 10.34. The site is located in an area with excellent public transport links and a good range of shops and services within walking distance.
- 10.35. The Highways Authority commented on the proposal. The area is within the Summertown Controlled Parking Zone; therefore a condition is proposed to be imposed to exclude the proposed dwellings from eligibility of parking permits.
- 10.36. Therefore, it is considered that the proposal is acceptable in this respect and it complies with policies CP1, TR3 of the Oxford Local Plan and HP16 of the Sites and Housing Plan.

### Cycle Parking

- 10.37. Policy HP15 of the Sites and Housing Plan sets out minimum cycle parking standards. For houses and flats of 3 or more bedrooms at least 3 spaces per dwelling will be required. All residential cycle storage must be secure, undercover, preferable enclosed, and provide level, unobstructed external access to the street.
- 10.38. The plans submitted are showing the location of the cycle storages at the front of the proposed dwellings and additional cycle spaces are proposed to be located next to the staircases close to the entrance to the site. The amended plans have been submitted to include one additional cycle space per dwelling, therefore each dwellinghouse would have three cycle spaces, which complies with policy HP15. Additionally the submitted plan shows six cycle storage spaces next to the staircases, which could be used by the residents of the existing flats or by visitors. The proposal therefore complies with Policy HP15 of the Sites and Housing Plan.

### Refuse, Delivery and Servicing Arrangements

- 10.39. Policy HP13 of the Sites and Housing Plan states that planning permission will not be granted for residential dwellings unless adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling.
- 10.40. Each dwellinghouse features bin storage at the front of the properties. The amended plan also shows an area for temporary bin storage on collection days.
- 10.41. The Highways Authority did not raise an objection regarding access for the emergency vehicles, noting that the plans would appear to comply with the Manual for Street guidance. The application is therefore considered acceptable in this regard.

### **vii. Sustainability and Energy**

- 10.42. The applicant submitted a statement regarding the energy efficiency of the proposed development. The drawings and the energy statement show that it is practicable to install the photo-voltaic panels on the west facing roof slope and this would comply with policy HP11 to provide on-site renewables. A condition is recommended to secure this.

### **viii. Flooding**

- 10.43. The existing land is reported as being previously used as a gravel surface parking area, which has become overgrown. The proposed development is located within Flood Zone 1 according to the Environmental Agency's Flood Maps. The site is at risk from Surface Water Flooding, however it is considered that the risk is low. No details of the proposed drainage system have been submitted for assessment. Considering the increase in impermeable area, the surface water flood risk category it is recommended that a condition requiring the provision of further Sustainable Drainage System design/plans be provided prior

to commencement of work.

**ix. Archaeology**

- 10.44. This site is of interest because of its scale and its location on the Oxford gravel terrace (Upper Thames second gravel terrace). Aerial photographs and evidence from archaeological excavations have demonstrated the presence of an extensive prehistoric ritual and agricultural landscape across the terrace, involving Neolithic/Bronze Age ritual and funerary monuments and Iron Age/Roman agricultural field systems and settlement. There is also evidence for subsequent Anglo-Saxon settlement in the Summertown area. The site lies within a poorly understood area of the Oxford gravel terrace 300m from evidence for Iron Age occupation (County HER No 15858) and 230m from evidence for an Anglo-Saxon inhuman cemetery (County HER No 6218).
- 10.45. In this case, bearing in mind the scale of the proposed development and the site constraints, a condition is recommended to be imposed requiring details of the archaeological investigation. The archaeological investigation should consist of trial trenching followed by further investigation if required. The archaeological investigation should be undertaken by a professionally qualified archaeologist.

**x. Other**

- 10.46. The development involves the creation of residential dwellings. Residential dwellings are considered to be sensitive uses. The risk of any significant contamination being present on the site is low. However, it is the developer's responsibility to ensure that the site is suitable for the proposed use. Therefore, an informative is recommended regarding unexpected contamination.
- 10.47. There are no protected trees on the application site.

**11. CONCLUSION**

- 11.1. The proposed dwellinghouses comply with the National Space Standard. The provision of cycle, refuse and amenity space are considered to be acceptable. The proposed development makes the efficient use of land available. The officers are satisfied with the form, scale and appearance of the proposed dwelling and its relationship with surrounding development in accordance with the requirements of policies CP1, CP8 of the Local Plan and HP9 of the Sites and Housing Plan. The impact of the proposed development on the neighbouring properties, especially on the properties along Banbury Road is considered acceptable.
- 11.2. On the basis of the above, the officer recommendation is to grant planning permission subject to the conditions listed below.

## **12. CONDITIONS**

### **1. Time Limit**

The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

### **2. Approved plans**

The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

### **3. Materials**

Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of work on the site and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

### **4. No permitted development rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking or enacting that Order), no structure including additions to the dwelling as defined in Classes A, B, C, D or E of Schedule 2, Part 1 of the Order shall be erected or undertaken without the prior written consent of the local planning authority.

Reason: The local planning authority considers that even minor changes in the design or enlargement of the development should be the subject of further consideration in order to safeguard the appearance of the area in accordance with policies CP1 and CP8 of the Oxford Local Plan 2001 - 2016 and policies HP9 of the Sites and Housing Plan.

### **5. Landscaping and boundary treatment**

A landscape plan of the gardens, courtyard and boundary treatments associated with the residential units shall be submitted to, and approved in writing by, the Local Planning Authority before development starts.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

## **6. Landscape carry out by completion**

The landscaping proposals as approved by the Local Planning Authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

## **7. Lighting**

Prior to the commencement of the approved development, details of any external or outdoor lighting to be installed on the application site shall be submitted to and approved in writing by the Local Planning Authority. The details of the lighting to be provided will include information about the specific location of any lighting, its output and type. Only the approved lighting shall be installed and no additional external or outdoor lighting shall be installed unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure adequate provision of lighting in order to reduce the risk of crime and to prevent the installation of unsuitable outdoor lighting that would have an adverse impact on the amenity of the area as required by Policy CP1 and CP20 of the Oxford Local Plan 2001-2016 and Policy CS19 of the Oxford Core Strategy (2011).

## **8. Bin and cycle store**

The bin and cycle storage shall be provided within the site in accordance with the details submitted with the application hereby approved prior to the first occupation of the property and thereafter the areas shall be retained solely for the purpose of bin and cycle storage.

Reason: To promote recycling and to ensure that the development provides adequate cycle parking in accordance with policies CP1 and CP10 of the Adopted Oxford Local Plan 2001-2016 and policy HP15 of the Sites and Housing Plan 2011-2026.

## **9. Construction Traffic Management Plan**

A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify;

- The routing of construction vehicles,
- Access arrangements for construction vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network)

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

## **10. Traffic Order**

The development hereby permitted shall not be occupied until the Order governing parking at 225-229 Banbury Road; has been varied by the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for resident's parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1, CP6, CP10 and TR13 of the Adopted Oxford Local Plan 2001-2016.

## **11. Drainage**

Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The plans, calculations and drainage details submitted shall demonstrate that;

I. The drainage system is designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event.

II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the current runoff rate and be aimed at reducing runoff to greenfield runoff rate for a given storm event.

III. Excess surface water runoff must be stored on site and released to receiving system at as close to greenfield rates as possible.

IV. All ground surfaces such as driveways and patios are to utilize permeable paving. Any proposal which utilizes infiltration via a soak away is to be based on onsite geotechnical testing. Prior to the occupation of the development the drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained and maintained.

Reason: To ensure a proposal specific drainage designs is submitted for the development and ensure compliance

## **12. Archaeology**

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric and Roman remains (Local Plan Policy HE2).

### **13. Photo-voltaic panels**

The photo-voltaic panels shall be installed as shown on the drawings hereby approved.

Reason: To avoid doubt and to ensure that the development complies with policy HP11 of the Sites and Housing Plan.

#### Informatives

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development
2. If unexpected contamination is found to be present on the application site, an appropriate specialist company and Oxford City Council should be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use. Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

### **3. APPENDICES**

#### **Appendix 1 – Site Location Plan**

#### **1. HUMAN RIGHTS ACT 1998**

- 12.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and



freedom of others or the control of his/her property in this way is in accordance with the general interest.

## **2. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 12.2. 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 refusal of planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community

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