EAST AREA PLANNING COMMITTEE 7th February 2018

Application Number:	17/02813/FUL		
Decision Due by:	23rd January 2018		
Extension of Time:	16th February 2018		
Proposal:	Erection of a 37 bedroom supported living facility with ancillary uses and amenity space		
Site Address:	Land adjacent 2 Rymers Lane		
Ward:	Cowley Ward		
Case Officer	Andrew Murdoch		
Agent:	Mrs Dawn Brodie	**Applicant:**	Cantay Estates Ltd And A2 Dominion Housing Group Ltd
Reason at Committee:	The application is a committee item		

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1. RECOMMENDATION

1.1. East 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 subject to:

1. The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and

(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 a planning application which is seeking full permission for the erection of a 37 bedroom supported living facility (C2 Use Class) to be run by A2 Dominion with ancillary uses and amenity space.

2.2. The East Area Planning Committee previously granted outline planning permission for a 39 bedroom student accommodation scheme on the 10th May 2017 under 16/02997/OUT. In approving this application the means of access and scale of the development were considered at outline stage and all other matters (appearance, landscape, and layout) reserved for a later date. A further full application for a similar development was submitted under 17/00963/FUL. This was approved by the East Area Planning Committee on the 6th September 2017 subject to the completion of a legal agreement securing affordable housing. The legal agreement is currently being prepared. Neither application has been implemented on site.

2.3. The proposed development is to provide supported housing accommodation, support services, and rehabilitation for a range of vulnerable people with a connection to Oxford who have become homeless. The need to provide this accommodation has come as a result of the withdrawal of funding by the County Council which has resulted in the decommissioning of similar facilities (Simon House and Lucy Faithful House) within the city.

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

- Principle of development;
- Provision of supported housing accommodation
- Design and Impact on Character of Surrounding Area;
- Neighbouring amenity
- Transport
- Landscaping
- Archaeology
- Noise
- Sustainability
- Other Matters

2.5. Officers consider that the proposal would be acceptable in all regards and would be in accordance with the relevant National and Local Policies. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies.

3. COMMUNITY INFRASTRUCTURE LEVY (CIL)

3.1. The proposal is liable for a CIL payment.

4. SITE AND SURROUNDINGS

4.1. The site is located on the eastern side of Rymers Lane close to the junction with Between Towns Road. The site is bordered by the John Allen Centre to the

east, residential properties off Rymers Lane to the north, and the residential properties and multi-storey car park (which serves Templars Square Shopping Centre) on Between Towns Road to the south.

4.2. The site is vacant and currently comprises an area of cleared ground which was previously used as part of one of the retail units within the John Allen Centre. The site is located within the boundary of the Cowley Centre which is designated as a Primary District Centre, and adjacent to the Beauchamp Lane Conservation Area

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5. PROPOSAL

5.1. The application is seeking permission for the provision of a 37 bedroom supported living facility with ancillary uses and amenity space under Use Class C2 (Residential Institutions)

5.2. The accommodation will be provided in a three-storey building which steps down to two-storeys to the north where adjacent to the Victorian terrace of properties on the eastern side of Rymers Lane.

5.3. The facility forms part of the City Councils homelessness services strategy which seeks to provide early intervention and homelessness prevention; suitable accommodation; and support for people in housing crisis, in order to assist

clients to move-on into independent accommodation. The facility would be operated and managed by A2Dominion.

5.4. The building will be subdivided into two separate houses. House 1 is located to the south of the site adjacent to the retail facilities. It will provide 22 bedrooms and provides support and care for the most vulnerable that are at the start of the three-stage progression through the Independent Living Plan. The house will be manned on a 24hr basis daily by 2 staff that will provide continuous support for residents. There is to be meeting space, and staff accommodation on the ground floor of this building. House 2 is located to the north, and provides 15 bedrooms arranged as cluster flats. This building will accommodate people who have moved through the Independent Living Plan and are in a position to move out of the facility. The building is not manned, but the staff in House 1 are available for support and assistance.

5.5. The facility will have pedestrian access from Rymers Lane with a separate gate at each side of the building to allow access to the on-site bicycle storage. The development will be 'car-free' as the residents of the facility are highly unlikely to own vehicles given their circumstances as is the case with the existing supported accommodation within the city. There is to be no parking provision for staff or visitors given the sites sustainable location on the edge of the Cowley Primary District Centre. A2Dominion will provide staff parking at the nearby Sinnet Court.

6. RELEVANT PLANNING HISTORY

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

16/02997/OUT - Application for outline planning permission for the provision of development comprising a purpose built student accommodation facility of 39 study bedrooms with ancillary facilities for use during academic term time and vacation periods, including means of access and scale: Approved 17/00963/FUL - Development comprising a purpose built student accommodation facility of 39 study bedrooms with ancillary facilities for use during academic term time and vacation periods: Approved in principle by the East Area Planning Committee subject to the completion of a legal agreement securing affordable housing contributions. The legal agreement is currently being prepared.

7. RELEVANT PLANNING POLICY

7.1. 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	CP1, CP6, CP10, CP8,		HP9, HP14,	
Housing	6		CS2, CS3, CS20, CS23,		
Transport	4	TR3, TR4,		HP16, HP15,	Parking Standards SPD
Environmental	10	CP20, CP21,	CS11, CS19, CS10,	HP11,	Energy Statement TAN
Misc	5	CP.13, CP.24, CP.25		MP1	

8. CONSULTATION RESPONSES

8.1. Site notices were displayed around the application site on 7th November 2017 and an advertisement was published in The Oxford Times newspaper on 2nd November 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

8.2. Objection

8.3. The lack of off-street parking for staff, residents and visitors on site would lead to on-street parking in the local area

8.4. It is proposed that the development is to be car-free. Policy HP16 also states that car free developments will be approved where they are located within a controlled parking zone. However the site is not located within a controlled parking zone and so the car-free status of the development cannot be enforced.

Oxfordshire County Council (Drainage)

8.5. The assessment of soakage needs to be confirmed using Infiltration tests to be undertaken in accordance with BRE365 before determining the drainage strategy. If no soakage is confirmed then the Local planning Authority in consultation with Thames Water need to agree the discharge to their network needs to be determined

Oxfordshire County Council (Local Members Views) - Cllr John Sanders

8.6. My main reservation regarding this proposal is the inadequate provision for parking for the proposed site.

8.7. The developer proposes that staff would be prepared to walk 2km – that is 15 city blocks to reach the site. A more realistic conclusion would be that staff would choose to park in nearby streets – such as Rymers Lane, Clive Road and Campbell Road – adding to the existing parking problems in those streets.

8.8. Additionally I find it incredible that the developer seems to have little appreciation of the hurdles that would face residents in the development. As the residents begin to find employment, many will find it necessary to drive to work. It is my experience that such places normally provide parking space for residents. I anticipate that half the residents would require parking spaces.

8.9. I would prefer to see adequate provision for staff and resident parking provided on site.

Natural England

8.10. No comments to make on this application.

8.11. Natural England has not assessed this application for impacts on protected species.

8.12. The lack of comment does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

Environment Agency

8.13. No objection subject to conditions requiring a watching brief for contamination.

8.14. The agency has reviewed the submitted Phase I and II Site Investigation dated June 2016 ref. S.4832. No potential sources of contamination have been identified the risk of pollution to controlled waters is low.

8.15. Given the previous use of the site and the length of time that industrial activities have occurred, there could be undetected hotspots of contamination encountered during development. A careful watching brief for potential sources of contamination should be maintained.

Public representations

8.16. Letters of comment have been submitted from the following addresses in 44, 113 Campbell Road, 7 Cornwallis Road; 83 Rose Hill; 25, 39, 56, 58 Rymers Lane; 80 Temple Road; Flat 2, 7A, 7A Trevor Place; Mr L Brown; Ms K Lovelock

In summary, the main points of support were:

- This is a fantastic proposal but there are not enough beds to replace Simon and Lucy Faithful House
- The location of a homeless shelter in an area where there are jobs available, as well as access to support services and to lower cost shops makes perfect sense.
- The proposal makes best use of a vacant plot
- The parking objections should not be sustained, as there would be more impact if the site was developed for housing.
- The development will not harm the character of the area, which is made up of an eclectic mix of families
- There should be clauses in any permission to support local residents from impacts of anti-social behaviour / respecting neighbours etc
- There should be an evaluation of the facility with local residents / A2 Dominion, and Local Councillors to ensure that it integrates with the community
- There should be a condition preventing this to be converted to an emergency night shelter in the future
- While supportive of the proposed use, the design of the building looks like a factory or a prison and will not help integrate the residents and the community

In summary, the main points of objection were:

- The site is not appropriate for a homeless shelter
- The scheme should be redrawn to accommodate both homeless people and key workers – there is a shortage of the latter.
- The site, although small, is big enough to offer a reasonable division to help both groups and house homeless people side by side with working people.
- The site should be used for affordable housing
- Moving the issue the Council had in the centre of the city to areas away from the view of tourists and other visitors is not the best use of this site.
- Adverse effect on the character of the area
- Adverse effect on privacy
- The development will increase traffic throughout the area
- There will be an adverse impact on parking
- There are whole families and businesses in close proximity to the facility that could be potentially effected from anti-social behaviour that is commonly associated with people struggling with complex needs
- The area experiences a number of anti-social behaviour issues. The school has been placed in special measures, a brothel has been closed in Rymers Lane, and issues at the parade of shops near Templars Square including alcoholics. The shelter will compound the problem.
- The development could compromise the major redevelopment of Templars Square
- The originally approved use for the site was residential
- There has not been sufficient public consultation
- This should not become an emergency centre in the future

Response Organisation
On behalf of Response Organisation, the largest mental health charity in Oxfordshire, we would like to note our support for this much needed development.

The issue of homelessness and mental health are interlinked and we are desperately in need for more purpose built accommodation for homeless individuals in Oxford.

The design of the building and the option of move on are excellent. Also the location being away from existing services in the city centre is ideal. We have seen from recent developments that individuals fare much better when integrated into communities away from the city centre

9. PLANNING MATERIAL CONSIDERATIONS

9.1. Officers consider the determining issues to be:

i. Principle of development;
ii. Provision of supported housing accommodation
iii. Design and Impact on Character of Surrounding Area;
iv. Neighbouring amenity
v. Transport
vi. Landscaping
vii. Archaeology
viii. Noise
ix. Sustainability
x. Other Matters

i. Principle of Development

9.2. The National Planning Policy Framework has a presumption in favour of delivering sustainable development, which it sees as meaning planning for economic, environmental, and social progress (paragraphs 6 & 7). The NPPF makes clear in Paragraph 14 that this presumption should be seen as the golden-thread running through plan-making and decision-taking, which for decision-taking means approving development proposals that accord with the development plan without delay.

9.3. The National Planning Policy Framework and Oxford Core Strategy Policy CS2 encourage development proposals to make an efficient and appropriate use of previously developed land in a manner that suits the sites capacity. Policy CP6 of the Oxford Local Plan requires that development proposals make maximum and appropriate use of land and the best use of a site's capacity in a manner both compatible with the site itself as well as the surrounding area. Larger scale and higher density proposals are encouraged in appropriate locations.

9.4. The site is located within the Cowley Primary District Centre, as defined by Oxford Core Strategy Policy CS1. This policy recognises that the primary district centre is suitable for uses serving a larger catchment area than other district

centres. Planning permission will be granted for such development provided it is of an appropriate scale and design and maintains or improves the mix of uses available. District centres, and their immediate surroundings, are appropriate locations for medium to high-density development.

9.5. The site would constitute previously developed land and therefore the principle of bringing this vacant site back into use with some medium to high-density development would accord with the aims of the above-mentioned policies

ii. Provision of Supported Housing Accommodation

9.6. Oxford Core Strategy Policy CS23 states that permission will only be granted for residential development that delivers a balanced mix of housing to meet the projected future household need, across Oxford as a whole. The mix of housing relates to the size, type, and tenure of dwellings to provide for a range of households, such as amongst others, people with specialist housing needs.

9.7. The National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 49). It goes on to encourage the delivery of a wide choice of high quality homes, widen opportunities for home ownership, and creating inclusive and mixed communities.

9.8. In so far as the proposal is concerned, there would be no specific policy reasons to object to the general principle of providing sheltered accommodation on this site. Indeed the use of the site for this type of accommodation could be viewed as helping to provide a mixed range of accommodation to suit those with specialist housing needs which would broadly accord with the aims and objectives of the above-mentioned policies.

9.9. Need: The proposed accommodation would form an important and integral part of the City Council's homelessness strategy to ensure an effective pathway for people with multiple and complex needs who are rough sleeping, or very vulnerably housed, and in need of accommodation and high levels of support.

9.10. There is currently a high demand within the city for this type of accommodation which has been created following the decommissioning of a number of these facilities within the city centre as a result of the County Council withdrawing funding. This has resulted in the loss of 61 bed spaces at Lucy Faithful House, 84 bed spaces at Julian Housing while a further 52 spaces are to be lost when Simon House closes in 2018. In order to address this loss of accommodation, the City Council agreed to re-commission new homelessness support services from A2Dominion with a view to providing the accommodation lost at Simon House on another site. This is in addition to those services that are jointly commissioned (between Oxfordshire County Council, the Oxfordshire District Councils, and the Oxfordshire Clinical Commissioning Group) which are expected to meet the needs of Oxford City's connected clients going forwards, with over 150 bed spaces available in the adult homeless pathway. The Council have also agreed to provide funding to keep Simon House partially open to provide support and accommodation for homelessness clients, usually with a

local connection to Oxford, until an alternative site is found and opens, while also providing additional complex needs provision across the city.

9.11. The Planning Statement has identified that there is a need to retain provision, with 24/7 supervision, rather than developing dispersed models of accommodation in order to maintain an effective pathway for people who are rough sleeping and in need of accommodation and support. As such officers consider that the proposal will meet an identified and pressing need for accommodation.

9.12. Management: The facility will be managed by A2Dominion, a Registered Provider, who have been operating in Oxford for circa 25 years and currently manage Simon House in the city centre.

9.13. During the consultation process, some concerns have been raised about potential impact that the facility will have on the surrounding area in terms of creating anti-social behaviour. A draft Management Protocol has been submitted with the application to set out how it will be managed.

9.14. The accommodation will provide 22 bedrooms in supported complex needs accommodation 'House 1', whereby occupants will be expected to enter into an Independent Living Programme which moves them towards recovery and independence over an average 6-9 month period, but with stays of up to 2 years possible. It is anticipated that the occupants will work on a programme that will see them move towards independent accommodation with minimal support. The second block 'House 2' provides 15 bedrooms of 'move-on' accommodation, for 2-3 years, which is aimed at those occupants progressing out of the pathway with the expectation that they are working and preparing to move into private-non supported accommodation.

9.15. The supported accommodation 'House 1' will be managed 24/7 by a team of support staff, which will result in two members of staff on site at all times. The management will focus on this complex needs accommodation but also allows for 24 hour monitoring through CCTV of the 'move-on' units in 'House 2'. In terms of security and safeguarding the public and adjoining interests, the facility is only accessed through a pass operated security access system at each of the pedestrian access points. The management plan includes procedures for dealing with anti-social behaviour / housing management. This includes monthly risk assessments that consider whether support needs to be withdrawn for residents along with drug and alcohol testing where required. Any disturbances for neighbours would be handled by on-site management in the first instance. A2 Dominion have confirmed that they will have a dedicated Resident Liaison Officer for local residents to contact should they have any need to, and there is a 24 hour complaints line operated by A2Dominion.

9.16. Oxford Local Plan Policy CP19 makes clear that permission will be refused for development proposals that cause unacceptable nuisance, and where such nuisance is controllable, appropriate planning conditions will be imposed. It is considered that although part of the site will cater for those with complex housing needs, it is sited within the Cowley Centre Primary District Centre, which is a

mixed-use area rather than a wholly residential area. The facility will be highly managed by a responsible Registered Provider, who understands the need to integrate with the local community and thereby effectively manage their tenants. The management plan provides details as to how this will be handled, and the presence of 24/7 on-site supervision would mean that any anti-social behaviour could be effectively managed and / or prevented. It also provides a suitable route for residents to make any complaints about behaviour that concerns them. Therefore whilst local residents concerns about possible anti-social behaviour are understood, officers consider that a condition that secures the implementation of a management plan for the facility would deal with this matter.

iii. Design and Impact on Character of Surrounding Area

9.17. 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.

9.18. Layout: The site would be laid out to ensure that the main built form fronts onto the street and respects the linear street pattern of Rymers Lane, and also makes use of the large retail warehouse units to accommodate the built form that extends to the rear of the site. The positioning of ground floor uses and layout of rooms has enabled frontages onto Rymers Lane to be 'active'. Thought has been given to the rhythm and articulation of windows on upper storeys to ensure that there is surveillance over the street and privacy to adjacent properties. The principles established in the illustrative layout should follow through to any reserved matters scheme. The retention of the stone wall is also welcome.

9.19. Scale: The proposed development seeks to emulate the industrial heritage of the site and its surroundings and create a transition between the industrial scale of buildings to the south and residential properties in the north. The accommodation would take the form of three blocks, with two three storey blocks at the southern end and centrally, and a second storey block to the north alongside the Victorian terrace. Officers welcome the approach taken and the aspiration to read as a series of mill buildings. The size and scale of the building follows the indicative plans approved as part of the extant planning permissions. As such officers consider that the scale of the built form is acceptable and would be an appropriate response to making best use of the site, whilst also respecting the character of the surrounding area.

9.20. Appearance: The Design and Access Statement has indicated that the concept for the buildings appearance is to reflect that of the Victorian Terrace. As with the outline permission the windows at first floor level have been designed to align with the terrace. It would be important to ensure that the materials used in the building relate to the surrounding buildings. This could be dealt with through an appropriately worded condition which seeks approval of these.

9.21. In summary, officers consider that the proposed scale and density of the development could be accommodated within the plot and the building has been designed in a manner that follows basic urban design principles and establishes a clear sense of place that responds to the surrounding area, and special character of the adjacent Beauchamp Lane Conservation Area which would not be harmed. As such the overall scale of the development would accord with the aims of Oxford Core Strategy Policy CS18, Sites and Housing Plan Policy HP9, and Oxford Local Plan Policies CP1, CP8, CP9, CP10 and HE7.

iv. Impact on Neighbouring Amenity

9.22. Policy CP10 of the Local Plan requires development proposals to be sited in a manner which meets functional need, but also in a manner that safeguards the amenities of other properties.

9.23. Residential Amenity: The property most likely to be affected by the built form of the proposal would be 2 Rymers Lane which lies to the north of the site, and has an east facing rear garden. This property has been extended over time, with a two-storey extension added in 1999 which brought it closer to the application site. The built form has been laid out to follow the linear street pattern of Rymers Lane, and does not extend beyond a 45 degree line measured from the first floor and dormer windows in the rear elevation of the extended part of 2 Rymers Lane. The overall height of the building closest to this property steps down from the three storey height of the central and southern block. This has been reduced further since submission to ensure that the height reflects that of the terrace. It is noted that there is a window in the side elevation of this adjoining property, but according to the plans for the extension (99/00103/NF) it would appear to serve the accommodation in the roof as part of a stairwell to the loft room. It is not the only source of light to this room given that there are rooflights in the front roof slope and also a dormer to the rear. Therefore whilst there would be some impact on this window, officers consider that it would not be so significant to justify refusal of the scheme.

9.24. The linear development pattern means that the majority of windows face out onto the street, and directly towards the rear of the site and so will not create any overlooking issues of this adjoining property (or indeed other properties on the western side of Rymers Lane). There would be a three storey element alongside the retail units in the south that would have windows facing due north however there would be sufficient separation distance to 2 Rymers Lane and the other properties in the terrace to prevent any adverse overlooking.

9.25. Overall officers consider that the development has been designed to minimise the impact upon this adjoining property at 2 Rymers Lane in terms of loss of light, overbearing impact, or privacy. It is also considered that the proposal will not create any similar adverse impacts upon the other properties in the Rymers Lane terrace or on the opposite side of the road or indeed any other properties in the surrounding area. The proposals would therefore comply with CP10 of the Local Plan.

v. Transport

9.26. A Transport Statement has been submitted with the application which considers the highway impacts of the proposed development.

9.27. Traffic Impact: The Transport Statement identifies that the nature of a supported housing facility would result in fewer trips than the extant planning permission for residential development on the site, which had approximately 6 parking spaces. This would be because of the fact that residents of the facility would be highly unlikely to own cars, with the only traffic demand likely to come from staff. The Local Highways Authority has raised no objection in terms of traffic impact.

9.28. Car-Free Development: As with the previous student accommodation schemes, the development would not provide any off-street parking spaces. The application site is within a highly accessible location in the Primary District Centre where there are a wide range of services in close proximity to the site and also excellent public transport links to the rest of the city. Therefore it would be a suitable location for a car-free scheme. The County Council has however raised concerns as to how a car-free development could be secured in the absence of any on-street parking controls which could prevent any parking within the surrounding streets. Therefore this needs to be considered.

9.29. The Transport Statement identifies that it is highly unlikely that residents within the facility will have access to a private vehicle. The residents licence agreement also has a clause which prevents them from bringing a vehicle to the area. Any visitors to the facility would be able to use public transport given the sustainable location, or use public car parks within the vicinity should they travel to the site by car. Although the County Council has removed their initial objection relating to concerns about parking, they have stated that it is unrealistic that all visitors will choose to park in public car parks at a cost when there is unrestricted on-street parking available within the surrounding streets. However, having regard to this matter, officers are of the view that the County Council has not given enough consideration to the nature of the existing use. The applicant has confirmed that the experience of other sites within the city (i.e. Simon House) is that the use does not generate significant numbers of visitors. Therefore it is highly likely that demand for on-street spaces from residents and visitors will be extremely low. Similarly while it is difficult to predict whether or not any visitors that do come to the site will use the public car parks in close proximity to the site, or the surrounding streets, the number of visitors would not be significant and the availability of options for parking vehicles along with access from public transport would reduce the extent of pressure on on-street parking from visitors. As such it would be difficult to uphold an objection on this basis.

9.30. In order to support the car-free nature of the scheme, no on-site parking for staff will be provided. A2Dominion will actively encourage all staff to travel to the site by sustainable transport. The Transport Statement identifies that the development will be managed on a 24hour basis with typically between 2 and 6 staff working at any one time. In order to encourage staff to use public transport,

private allocated parking would be provided at their facility in Sinnet Court, Southfield Road which is only 2km away. In considering how their other facilities within the city are managed, the TA has identified that staff could generate in the region of 2 vehicles at any one time. This would represent a small number that could add to parking pressures in the area.

9.31. The applicant has provided some data on parking within the area, which identifies that there is spare capacity for on-street parking in the vicinity of the site, which could easily accommodate the low parking demand from the proposed development. Having regard to this fact, the Local Highways Authority has stated that while stressing that increases in on-street parking demand in this location will further restrict any spare capacity and will cause an inconvenience to local residents, considering information provided in the parking survey, they have therefore removed their objection.

9.32. As such officers would advise members that the development is unlikely to compromise highway safety or lead to obstructions caused by ad hoc overspill or displaced parking. As such, it is unlikely that the highways impact of the development could be considered 'severe' as set out in the NPPF.

Cycle Parking

9.33. The development will provide 22 cycle parking spaces that are proposed for staff and residents. The cycle parking spaces are to be sited in an appropriate location at the rear of the site with direct access onto the site access road and then onto Rymers Lane. As such no objection would be raised to this aspect of the proposal.

Refuse, Delivery and Servicing Arrangements

9.34. The Transport Statement indicates that the refuse collections will be taken from Rymers Lane. Accordingly, the refuse store is appropriately located at the southern part of the site with dedicated access to Rymers Lane, albeit the access lane appears narrow compared to the size of the refuse/recycle bins. The condition requiring details of the refuse storage should include the widening of the pathway to the front of the site, which would be easily achievable.

9.35. It is proposed that there will be around 1 or 2 deliveries a week to support the facility, which will take place from Rymers Lane. The application suggests a loading bay along Rymers Lane located close to the traffic build out, subject to further consultation Oxfordshire County Council's Traffic and Road Safety Team. However as the frequency of deliveries is only 1 or 2 times a week, the Local Highways Authority has stated that it is not considered necessary to provide an official loading bay.

9.36. Travel Plan: A Travel Plan Statement is recommended in order to encourage staff to use sustainable forms of transport. This could be secured by condition

9.37. Overall the proposed development is considered acceptable in highway terms,

subject to the above conditions in accordance with the aims of Oxford Local Plan Policies CP1, CP10, TR1 and TR4 and Sites and Housing Plan Policies HP5 and HP15

vi. Landscaping

9.38. The Trees surrounding the site are not subject to any form of protection. The proposals do not require the removal of existing trees and provide an opportunity for new soft landscaping along Rymers lane frontage which will help 'green' the area. Any retained trees adjacent to the site must be adequately protected during development; new hard surface within their Root Protection Areas should be appropriately designed, and underground utility services and drainage should be routed outside of their RPAs; details can be required by condition if planning permission is granted, in accordance with the relevant local policies.

vii. Archaeology

9.39. An Archaeological Desk Based Assessment has been submitted with the application. The site has some interest because map evidence suggests that it was occupied by a farm from the early 19th century at least and that the farm buildings were subsequently incorporated into the emerging Steam Plough Company site from the 1860s onwards. The boundary walls do not appear to be a survival of the original farm which fronted onto Rymers Lane and appear to relate to a later period of rebuilding. The courtyard formed by the farm buildings appears to have been demolished and replaced by industrial buildings by 1955.

9.40. The site has been subject to limited evaluation trenching (Oxford Archaeology 2012). The evaluation identified iron piping, ceramic drain, brick walls and limestone block foundations belonging to the 19th and 20th century buildings belonging to the Oxford Steam Plough Company. The small sample did not identify any remains that would suggest a specialised function for the buildings on this plot. The main assembly building appears to have been located further to the south-east, off the current application site.

9.41. Having considered the history of rebuilding on this site and the limited results of the archaeological evaluation trenching officers would not request any further recording work in relation to this proposal, in accordance with the relevant local policies and the NPPF.

viii. Noise

9.42. A Noise Assessment has been submitted with the application. The report using qualitative and quantitative data accepts that there are high ambient noise levels to which this site is subjected and confirms that to achieve satisfactory internal values it will be necessary for windows to remain in the closed position and a separate form of ventilation system provided to the rooms in the accommodation.

9.43. Environmental Health Officers would raise no objections to the use of separate forms of ventilation, but have recommended that conditions be attached to ensure that the scheme is designed to ensure that the rooms achieve the British

Standard BS8233:14 levels.

ix. Sustainability

9.44. An Energy & Sustainability Statement has been submitted with the application. The document has indicated that a fabric first approach will be adopted with high levels of insulation and low air permeability to reduce heat loss, and the use of low energy lighting and 'A' rated white goods. There will also be a highly efficient communal gas fired boiler in conjunction with Combined Heat and Power for space heating and solar pv panels. This would accord with the requirements of Sites and Housing Plan Policy HP11

x. Other

9.45. Drainage: The proposed drainage strategy does not follow a Sustainable Urban Drainage hierarchy. It is considered that the drainage should ensure that it is connected to the surface water sewer within Rymers Lane as this would result in greater betterment from the proposal (as the clean water will be separated from the foul, and therefore the sewer undertaker will not be unnecessarily treating surface water). A condition should be attached seeking prior approval of a full drainage strategy for the site.

9.46. Land Quality: A Phase 1 Desk Study and Phase 2 Site Investigation have been submitted with the application. The report has been undertaken in accordance with the Environment Agency Guidance CLR11. Former potentially contaminative land use on the site was identified to be steam ploughing works, engineering works, and potential infilling during the redevelopment of the adjacent retail park. Made ground was identified across the site. Soil samples were taken from 6 locations across the site, which were compared to generic assessment criteria for a residential without plant uptake end use. There was no widespread contamination identified across the site, however a hotspot of lead in the made ground was identified at TP1 in the southwest corner of the site. This was in an area of proposed soft landscaping, and it was therefore recommended that the hotspot be removed and replaced with a clean cover system. It was further recommended that a remedial statement be issued to detail the specifics of the proposed remediation and validation plan.

9.47. Officers agree with the overall assessment and recommendations of this report. It is acknowledged that the layout of the proposed development has changed since the production of this report, and may do so in any future reserved matters applications. Therefore any subsequent reports should reflect the most current proposed or approved layout plans. A condition should be attached to secure the remedial statement and validation report.

9.48. Ecology: The site is currently vacant and therefore it will not have any adverse impact upon biodiversity. However in accordance with Oxford Core Policy CS12 opportunities should be taken (including through planning conditions or obligations) to: ensure the inclusion of features beneficial to biodiversity (or geological conservation) within new developments throughout Oxford. A condition should therefore be attached which requires details of all biodiversity

enhancements.

9.49. Air Quality: The Air Quality Assessment submitted with the application has considered potential impacts on air quality during the operational phase of the proposed development. The assessment considered whether the existing air quality and predicted future air quality would impact the receptors introduced from the proposed development. Based on the assessment results, air quality issues are not considered a constraint to planning consent for the proposed development.

10. CONCLUSION

10.1. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Development Management) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and subject to the conditions set out.

11. CONDITIONS

1 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 The development referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans.

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

3 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 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

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

5 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.

6 Prior to the start of any work on site including site clearance, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the rooting area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which might require hard surfaces to be constructed on top of existing soil levels using treated timber edging and pegs to retain the built up material. The works shall only be carried out in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016

7 Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations'. Works shall only be carried in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies CP1,CP11 and NE15.

8 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction-Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

9 A detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016

10 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 and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Parking provision for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents and businesses.

The approved Construction Traffic Management Plan shall then be adhered to during the construction period.

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.

11 Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features
- Sizing of features - attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations

The development shall be carried out in accordance with the approved details.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community

12 That prior to the first occupation details of the refuse and cycle storage for the development shall be submitted to and approved in writing by the Local Planning Authority. The refuse and cycle storage shall be provided in accordance with these approved details prior to the development being first occupied, and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, and in accordance with Policies CP1, and CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan 2011-2026

13 All internal living and sleeping areas within either building hereby approved will be designed to meet BS8233:14 noise criteria. Where windows need to remain in the closed position to achieve such levels, the development shall install a proper system of ventilation to meet requirements of Building Regulations 2010 (Document F1).

In respect of proposed mechanical plant, the development shall ensure that the noise level generated by the installation does not impact adversely on the nearest noise sensitive receptor. For this purpose all plant shall be designed to meet requirements of BS4142:14 to ensure rating level does not rise above measured background value.

Reasons: In the interests of the amenities of occupiers in accordance with policy CP21 of the adopted Oxford Local Plan 2001-2016

14 No work shall commence until details of the sustainability measures to be incorporated into the development in order to meet the target set out in Sites and Housing Plan Policy HP11 have been submitted to and approved in writing by the Local Planning Authority. The energy efficiency measures shall be implemented and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise carbon emissions in accordance with policy CS9 of the Oxford Core Strategy 2026.

15 Prior to the commencement of the development, details of biodiversity enhancement measures including at least 5 x swift nesting devices (to be built into the building walls) shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the approved dwellings and retained as such thereafter.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

16 Prior to the commencement of the development a contaminated land phased risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice. Each phase shall be submitted in writing and approved by the LPA.

Phase 1 and 2 have already been submitted to and approved by the LPA.

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved by the LPA to ensure the site will be suitable for its proposed use.

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

17 The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

18 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

19 The development shall not be occupied unit a Management Plan for the facility has been submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be brought into operation upon first occupation of the development and remain in place at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To avoid doubt and in order to ensure the development is appropriately managed so as to protect the amenities of neighbouring occupiers, in accordance with policy CP10 of the Oxford Local Plan.

12. APPENDICES

Appendix 1 – Site Location Plan

13. HUMAN RIGHTS ACT 1998

13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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