

## WEST AREA PLANNING COMMITTEE

**Application Number:** 17/03086/FUL

**Decision Due by:** 17th January 2018

**Extension of Time:** 31<sup>st</sup> March 2018

**Proposal:** Erection of three storey building to provide 1x1bed flat at first floor and 1 x 2 bed duplex flat (both Use Class C3) to first and second floor and office accommodation (Use Class A2) at the ground floor. Provision of bin/cycle stores. (amended plans and description).

**Site Address:** 1A Cranham Street, Oxford, Oxfordshire, OX2 6DD

**Ward:** Jericho And Osney Ward

**Case Officer** Tobias Fett

**Agent:** Mr Stephen Broadley      **Applicant:** Mr Ramsell

**Reason at Committee:** Called-in by Cllrs Cook, Turner, Smith, Pressel and Rowley On the grounds that this is an application on a controversial site and has been the subject of at least three previous withdrawn applications.

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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 a small residential and office development in an urban infill plot. A small office unit is proposed on the ground floor with visitor cycle parking to the front of the shop window. The two upper levels would contain a one bed unit with a balcony and a two bed unit with a terrace. Cycle

and bin storage would be contained within a communal entrance area to the side.

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

- i. Principle of development;
- ii. Design;
- iii. Heritage;
- iv. Archaeology;
- v. Quality of Residential/Living Environment;
- vi. Neighbour Impact;
- vii. Parking and Highways Safety;
- viii. Energy Efficiency;
- ix. Drainage;
- x. Land Contamination.

### **3. LEGAL AGREEMENT**

3.1. This application is not subject to a legal agreement.

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

4.1. The proposal is liable for CIL at an amount of £21,290.72.

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

- 5.1. The application site is a small plot within the Jericho Conservation Area, which was left empty after the recent development of the part three part four storey Grantham House and adjacent site. The site has most recently been used for short term rental of car parking.
- 5.2. The site is adjacent the Phoenix Picturehouse cinema rear elevation and two residential dwellings that front Walton Street, one of those with its entrance on Cranham Street.
- 5.3. Cranham Street is comprised of a mix of dwellings of various architectural styles, mostly terraced, and no taller than four storeys at the western end, with a slight change in level, sloping westwards. This part of Cranham Street is dominated by the modern Grantham House development on the southern side and the now vacant Jericho health centre, which is part of a 1960s development on the northern side of the street. This now dated development comprised the 1-3 storeyed health centre and flats on the corner with Walton Street and the two storey terraced dwellings on Cranham Street.
- 5.4. The application site is close to the corner of Cranham Street and Walton Street, this part of Walton Street is a vibrant neighbourhood centre that includes a mix of commercial, community and other uses.
- 5.5. The site is quite small with a 105 sqm and constrained by existing neighbouring developments.

5.6. The site is bounded by fencing of residential gardens to the east, an existing wall with a side access passage to the west and the cinema wall to the south.

5.7. Site Location Plan:

N



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## 6. PROPOSAL

6.1. The application proposes the erection of a three storey building to provide 1x1bed flat at first floor and 1 x 2 bed duplex flat (both Use Class C3) at first and second floor as well as office accommodation (Use Class A2) at the ground floor. It is also proposed to provide refuse and recycling stores.

6.2. Revised plans have been received that show a reduced amount of occupants as well as a reduction of scale and a green roof.

6.3. The form of the building is replicating and continuing the building lines and design of the adjacent Grantham House development. The design is set back at ground and roof level, and provides strong angular building lines to appear as a two storey continuation of the adjacent development, with a smaller roof element as a third storey.

6.4. The proposed materials would also mirror those of the neighbouring development, such as grey aluminium frames for the fenestration and doors, a zinc flat roof with the walls built of brick at the ground floor, rendered at first floor level and clad with zinc at roof level.

## 7. RELEVANT PLANNING HISTORY

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

75/01060/A\_H - Dual use of land for residential parking and for operational parking in connection with St. Barnabas Clinic - Albert Street. PER 7th January 1976.

79/00889/GT\_H - Renewal of temporary consent for use of land for resident's parking and for operational parking in connection with St. Barnabas clinic, Albert Street.. TEM 7th November 1979.

16/00470/FUL - Erection of three storey building to create 1 x 1bedroom and 2 x 2bedrooms flats (Use Class C3). Provision of private amenity space, bin and cycle store.. WDN 6th July 2016.

16/02170/FUL - Erection of 2 x 2-bed dwellinghouses (Use Class C3). Provision of bin and cycle store.. WDN 19th October 2016.

16/02768/FUL - Erection of 2 x 2-bed dwellinghouses (Use Class C3). Provision of private amenity space and bin and cycle store.. WDN 12th January 2017.

17/00873/FUL - Erection of a 3 storey building to provide student accommodation (Sui Generis) with one office unit (Use Class B1) on ground floor. Provision of bin and cycle store. (Amended description). REF 20th June 2017.

17/00874/FUL - Erection of part two, part three storey building to provide 2 x 1-bed and 1 x 2-bed flats (Use Class C3).. REF 20th June 2017. APPEAL ALLOWED. 1st March 2018.

17/03086/FUL - Erection of three storey building to provide 2 x 2 bed duplex apartments (Use Class C3) to first and second floor and office accommodation (Use Class A2) to ground floor. Provision of car parking and bin/cycle stores.. PDE .

## 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
<b>Design</b>	7 para 56-58	CP8, CP1,	CS18_,	HP9_,	
<b>Conservation/ Heritage</b>	12 para 126, 131-132	HE2, HE7,			
<b>Housing</b>	6	CP6, CP10,	CS2_,	HP12_, HP13_, HP14_,	
<b>Commercial</b>	1, 2	RC13			
<b>Natural Environment</b>	9, 11, 13		CS9_,	HP11_,	

Social and community	8			CS19_	
Transport	4		CS13_	HP15_, HP16_	Parking Standards SPD
Environmental	10				Energy Statement TAN
Misc	5	CP.13, CP.24, CP.25		MP1	Telecommunications SPD, External Wall Insulation TAN,

## 9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 1st December 2017 and an advertisement was published in The Oxford Times newspaper on 7th December 2017. Revised plans have been received and revised pink site notices were displayed at the site on 13<sup>th</sup> February 2018; providing an opportunity for a further consultation until 4<sup>th</sup> March 2018.

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

Oxfordshire County Council (Highways)

- 9.2. No objection, but request for three conditions covering drainage, removal of parking eligibility and construction traffic management plan.

### **Public representations (26.02.2018)**

- 9.3. 7 local people commented on this application from addresses in Cranham Street, South Street and Kennett Road
- 9.4. 4 people from further afield commented on this application from Deacon Way and Crouch Hill Road, Banbury, Northampton Road, Croydon, and Branch Place, London.
- 9.5. One resident has commented on the original and the revised application.
- 9.6. In summary, the main points of objection (11 people) were:
- Amount of development on site
  - Effect on adjoining properties
  - Effect on privacy
  - Effect on character of area
  - Effect on traffic
  - Height of proposal
  - Information missing from plans

- Light - daylight/sunlight
- Noise and disturbance
- Parking provision
- Open space provision
- Access
- On-street parking
- Effect on existing community facilities
- General dislike or support for proposal
- Not enough info given on application

### **Officer Response**

- 9.7. Officers consider that those matters raised as part of the consultation that have a material planning impact are considered as part of the following report.

## **10. PLANNING MATERIAL CONSIDERATIONS**

- 10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design;
- iii. Heritage;
- iv. Archaeology;
- v. Quality of Residential/Living Environment;
- vi. Neighbour Impact;
- vii. Parking and Highways Safety;
- viii. Energy Efficiency;
- ix. Drainage;
- x. Land Contamination.
- xi. Office unit

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

- 10.2. The application site is a brownfield site that is currently used for car parking. For the purposes of planning it is considered that this site would be previously developed land. Policy CS2 of the Core Strategy (2011) and Paragraph 17 of the NPPF require that the majority of new development should take place on previously developed land. The application site is in a highly sustainable location given its close proximity to a local neighbourhood shopping centre and would be considered easy walking or cycling distance to the City Centre and railway station. As a result, proposals for a residential and commercial mixed use development on this site would be considered acceptable in principle.
- 10.3. Policy CP6 of the Oxford Local Plan 2001-2016 requires that developments should make more efficient use of land. It is arguably the case that the existing use of the site as an informally used car parking area does not maximise the development opportunities of this site. The proposals would make more efficient use of land that would be supported by the requirements of Policy CP6 of the Oxford Local Plan 2001-2016.

- 10.4. The application site lies in a location where there is a mixture of plot types, uses and size of buildings. The context of this site will be an important consideration for this application. Officers have considered the requirements of Policy CP8 of the Oxford Local Plan 2001-2016 and Policy HP9 of the Sites and Housing Plan (2013) as part of the assessment of this application.
- 10.5. At the ground floor level there is proposed to be an office unit. The proposed use would fall within Use Class A2 which is an office visited by members of the public. Whilst the application site lies within a residential road it is close to the commercial activity that takes place on Walton Street; an area which lies within a neighbourhood centre for the purposes of Policy CS31 of the Core Strategy (2011). Having had regard to the location it is considered that this site would be an acceptable site for a small office unit and represents a further opportunity to make most efficient use of the site.
- 10.6. The proposed development would not result in a loss of a family dwelling and there are no specific requirements for a mix of dwellings on this site. The development therefore meets the requirements of Policy CS23 of the Sites and Housing Plan (2013).
- 10.7. There is no requirement for an affordable housing contribution on this site as the proposals relates to a scheme of less than four residential units.
- 10.8. As the application lies within the Jericho Conservation Area it is also necessary to consider the requirement of paragraphs 132-134 of the NPPF as well as Policy HE7 of the Oxford Local Plan 2001-2016; this is assessed later on in the report.
- 10.9. Officers recommend that the principle of the development proposed on this site would be considered acceptable.

## **ii. Design**

### **Size, Scale, Siting and Massing**

- 10.10. The proposed development would be a three storey building; though the perceived scale of the building would be reduced in the streetscene as a result of the upper floor being set behind a parapet and the third floor accommodation being a lighter weight glazed element. At the ground floor the proposals include a shop-front with a contemporary and mainly glazed appearance. The first floor includes a small balcony on the front elevation and fenestration with a similar appearance to the neighbouring contemporary properties in Cranham Street. Officers consider that the proposed development would make an acceptable addition to the streetscene and would successfully emulate the adjacent dwellings in Cranham Street.
- 10.11. The ground floor retail unit would be set back slightly from the overlying upper floor; this is a similar approach to that taken with adjacent properties which incorporate undercroft areas for car parking. The retail unit would have a contemporary and high quality appearance which would be visually appropriate

in the context of the site.

- 10.12. The overall height to the top of the roof is the same as the adjacent properties in Cranham Street and slightly below the height to the ridge of No. 60 Walton Street.
- 10.13. The proposed development would take place on a smaller plot than adjacent properties in Cranham Street which are deeper and incorporate small gardens. Officers have considered the acceptability of the proposals in the context of Policy HP9 of the Sites and Housing Plan (2013). Whilst the site is constrained in comparison to adjacent properties and this limits the opportunity to provide gardens the proposals provide balconies in a way that is not uncharacteristic in the immediate context of modern properties in Cranham Street. The siting of the proposed development would have an acceptable relationship in the streetscene and would be in line with adjacent properties.
- 10.14. Further to the above, officers have considered whether or not the development would make an acceptable addition in terms of its visibility from Walton Street. Whilst the proposed development would be visible as a result of being closer to the corner it would not be uncharacteristic in appearance as a result of the presence of similar contemporary properties in Cranham Street and an already diverse mix of architectural styles in the streetscene.
- 10.15. On the basis of the above, officers recommend that the proposed development would be acceptable in design terms. The proposals have been carefully considered to emulate the appearance of other contemporary properties in the streetscene and sensitively introduce other elements (including a shopfront). The proposals would be acceptable in terms of their design and impact on the streetscene and the development therefore represents a high quality design. Officers recommend that the proposals meet the requirements of Policies CP1, CP8, CP10 and RC13 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy (2011) and Policy HP9 of the Sites and Housing Plan (2013).

### **Materials**

- 10.16. The proposed development would be constructed from materials that would be similar to adjacent contemporary buildings on Cranham Street. This would include render at first floor and zinc cladding at the second floor level. Officers consider that the pallet of materials would be appropriate in this location, having had regard to the use of contemporary materials elsewhere in the vicinity of the site and the Jericho Conservation Area. Despite this it is recommended that a condition is included that would require the submission of material samples prior to commencement. This would ensure that the development has a visually acceptable impact on the streetscene and complies with the requirements of Policies CP1, CP8 and HE7 of the Oxford Local Plan 2001-2016 and Policy CS18 of the Core Strategy (2011).

### **iii. Heritage Impact on Character of Surrounding Area**



- 10.17. The application site is located within the Jericho Conservation Area. The proposed scheme has evolved over a number of applications and pre-application discussions, where the impact on the Conservation Area has been thoroughly considered. As suggested above, the application site presents some challenges in terms of its context between the predominantly Victorian character of nearby properties on Walton Street and the more contemporary properties that are adjacent to the application site on Cranham Street. The proposed development would incorporate the use of contemporary materials which in some parts of the Conservation Area would be out of character and give rise to harm. However, having had regard to the immediate vicinity of the application site and the wider context of Jericho that incorporate some high quality contemporary buildings it is considered that the use of modern materials would not result in harm in this case. In considering the impact of the proposed development on the Conservation Area, officers have carefully considered the great weight that is placed on the Jericho Conservation Area as a designated heritage asset.
- 10.18. It is considered that the proposed development would have an acceptable relationship in the streetscene and responds adequately to the context in terms of its siting, mass and appearance and therefore would not give rise to an intrusive development that would be harmful to the character, appearance and special significance of the Conservation Area. On this basis the proposals meet the requirements of Policy HE7 of the Oxford Local Plan, Policy CS18 of the Core Strategy and Paragraphs 131 to 134 of the NPPF.

#### **iv. Archaeology**

- 10.19. This application is of interest because it involves development on a brownfield site located at the western end of a linear barrow cemetery of Late Neolithic – early Bronze Age date that encompasses in its design at least one significant Middle Age enclosure. A previous archaeological trench located 50m to the south-east did not locate and significant remains and it is possible that the cemetery stops where the Summertown-Radley gravel terrace ends and the land slopes towards the Northmoor terrace to the south. The current site has the potential to further clarify this matter.
- 10.20. If planning permission is granted then a programme of archaeological work is recommended to be secured by condition in accordance with Policy HE2 of the Oxford Local Plan 2001-2016.

#### **v. Quality of Residential/Living Environment**

##### Internal Spaces

- 10.21. Policy HP12 of the Sites and Housing Plan requires the provision of good quality internal accommodation. The proposed accommodation would provide adequate floor space and layout meeting the minimum national space standards for a one person, one bedroom single storey unit with 37 sqm and a four person, two bedroom two storey dwelling at 79 sqm.
- 10.22. Despite the above, the one bed unit shows a bedroom with two bed spaces.

Technically this would mean that the dwelling would be below the minimum size standards, officers consider that due to the practical layout and design, this unit could be able to comfortably accommodate a couple and would therefore be acceptable as a two person unit despite the slight deficiency in overall floorspace.

- 10.23. The quality of internal space provided is of a rational size and practical layout, with access to light and privacy to allow the reasonable enjoyment of the proposed dwellings.
- 10.24. On the basis of the above, officers recommend that the development would provide an acceptable amount and quality of internal space to meet the requirements of Policy HP12 of the Sites and Housing Plan (2013).

#### Accessibility

- 10.25. The building has been designed to be fully compliant with part M of the building regulations with respect to disabled access. The entrance into the office building would have level access. The proposal is designed to be adaptable and can be adjusted to meet the needs of future occupiers
- 10.26. The proposal would meet the needs of users with disabilities in accordance with Policy CP13 of the adopted Oxford Local Plan and HP2 of the Sites and Housing Plan. Conditions are recommended to adequately address these requirements.

#### External Spaces

- 10.27. The proposals include a balcony at first floor level for the one bed unit, which is 3.5 sqm, which is smaller than the 4.5 sqm required by Policy HP13 but would provide a basic area of outdoor amenity space. A bigger balcony would increase opportunities for overlooking and would lead to a design not fitting in with the neighbouring developments. Officers are confident that future occupiers have sufficient outdoor recreational areas nearby, such as the Canal Towpath and Port Meadow.
- 10.28. The two bed unit would have direct access to a very generous roof terrace. There is separate discreet bin provision proposed as well as secure and covered cycle storage space which would be ensured by condition.
- 10.29. The proposal meets requirements of HP13 of the Sites and Housing Plan and is therefore acceptable.

### **vi. Impact on Neighbouring Amenity**

#### Privacy

- 10.30. The development has been designed in a way to minimise impact on neighbours despite the site constraints. Due to the shape and size of the plot, the development has been sited to make full use of the width of the plot. All side

facing windows would be obscured glazed. The balconies and terrace would include glazed glass screens to the side to prevent overlooking and preserve privacy for existing and future occupants.

- 10.31. The roof terrace has been pulled back from the rear of 59/60 Walton Street by more than 3m and now also includes a section of green roof, which increases the distance to the back gardens, which contain a natural screen of mature planting and a shed in each garden at the boundary line.
- 10.32. The roof terrace is 0.9m away from building line at 4 Cranham Street, and also fitted with an obscure glass screen to protect privacy. Due the location and design of 4 Cranham Street and the proposed development and the window placement to the rear of the second floor in the proposed dwelling, the overlooking will be very minimal. And the majority of garden space will not be visible.
- 10.33. The proposal conforms to the Council's 45/25 guideline in protecting access to light and overlooking.
- 10.34. The proposal is likely to reduce some light for one second floor bedroom window at 4 Cranham Street; however the room has dual aspect windows, which will still provide an acceptable amount of light. The proposal is located north of the property that would be impacted by the development and the light impact is therefore limited due to the orientation.
- 10.35. Officers are confident that the proposed development will not give rise to unacceptable levels of overlooking. The proposal is in accordance with Policy HP14 of the Sites and Housing Plan and the NPPF, and is therefore acceptable.

#### Overbearing

- 10.36. The proposed development will be clearly seen and experienced from the neighbouring dwellings and gardens at 59/60 Walton Street and 4 Cranham Street. Officers have been given the opportunity to meet with residents and a local councillor to visit two of the impacted dwellings and inspect the rooms and amenity spaces concerned. In setting out the assessment below, officers have been mindful of those visits and the comments made in public consultation.
- 10.37. Officers acknowledge the substantial change in outlook and views especially for 60 Walton Street and 4 Cranham Street. However, views and outlook are not protected as such and a reasonable change such as that proposed cannot be considered a reason for refusal in this case.
- 10.38. The proposal has been designed to appear as a two storey building with a converted roof element in the same style as the neighbouring recent developments at Grantham House.
- 10.39. The scale and massing has been adjusted, and set back from the boundary with 59/60 Walton Street, which have a means of screening themselves with an outbuilding and mature planting each.

- 10.40. The proposed side elevation facing 59/60 Walton Street now includes a section of green roof which would further minimise the visual impact upon neighbours and provide a more pleasant and softer outlook for the proposed development.
- 10.41.4 Cranham Street has a balcony and a terrace adjacent the proposed new development. There is a gap of between 0.9m and 0.4m walls surrounding the balcony and terrace. The proposed development would undoubtedly have its biggest impact on this neighbour, and will be very visible at the balcony and the terrace as well as dramatically change views from some windows. However it is considered that due to the amount of different outside amenity spaces, existing and future occupiers of 4 Cranham Street have sufficient quality amenity space.
- 10.42. An existing rear garden will remain largely unaffected, with glimpses of the proposed development possible, but not harming the opportunity to enjoy this space.
- 10.43. The proposal is considered to have a strong visual impact and will have a less pleasant outlook from some angles and views. The proposal will cause some impact in terms of being overbearing from some of these views, but officers consider that the amount of harm caused to amenity is not sufficient to warrant a refusal to grant planning permission. Neighbouring properties would continue to be able to enjoy privacy within their dwellings and private rear garden areas, albeit with a changed outlook.
- 10.44. On balance it is recommended that the proposal accords with Policy HP14 of the Sites and Housing Plan and the NPPF, and is therefore acceptable.

## **vii. Parking and Highways Safety**

### **Transport Sustainability**

- 10.45. The proposal is for a car-free development. The location is very sustainable and within a short walking distance to a variety of local amenities as well as the City Centre.
- 10.46. The small office unit would be within the reach of the local neighbourhood centre, and staff and visitors would likely walk, cycle or use public transport but there is limited public car parking in the wider area that would provide an opportunity for car parking if required.
- 10.47. The Highways Authority have not objected, and conditions would be imposed to mitigate the development's impact on highways; a drainage condition, removal of eligibility for parking and a construction and traffic management plan due to the constrained nature of this location.
- 10.48. The proposal can be mitigated through the above conditions in accordance with HP16 of the Sites and Housing plan and is acceptable.

### Cycle Parking

- 10.49. The proposed development contains covered and secure cycle storage for a maximum of nine cycles, which is above the required provision. This would be located in the entrance area.
- 10.50. The proposal also contains four visitor bike spaces to the front of the office accommodation to encourage sustainable travel methods, especially by visitors.
- 10.51. The proposal is in line with Policy HP15 of the Sites and Housing Plan and therefore acceptable in terms of cycle provision. A condition is recommended to ensure that cycle parking provision is required.

### **viii. Sustainability and Energy**

- 10.52. The proposal would make a more efficient use of a previously developed site within a sustainable urban location in accordance with Core Strategy Policy CS2.
- 10.53. The applicant confirmed that where possible thermal performance of the building fabric would use insulation and measures to improve air-tightness as well as meeting or exceeding building control regulations, all in accordance with Policy CS9 of the Core Strategy.
- 10.54. The proposal would make use of low carbon materials where possible, which is in accordance with Policy HP5 of the Sites and Housing Plan (2013).

### **ix. Drainage**

- 10.55. The application site is not within a designated flood zone and does not require drainage mitigation due to the small scale of the development; however any drainage must be sustainable.
- 10.56. The proposal will be connected to the existing main foul drainage and the development will be treated with sustainable permeable finishes.
- 10.57. The proposal is acceptable, as conditions would be attached to ensure sustainable drainage methods are incorporated, in accordance with the NPPF and local planning policies.

### **x. Land Contamination**

- 10.58. 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 can be issued with the decision outlining what to do if unexpected contamination is found to be present on site during the construction process.

**xi. Office Unit**

- 10.59. The proposal includes a small scale office unit (Use Class A2). The location is just adjacent to the local bus stop and within a short walk of the commercial neighbourhood centre.
- 10.60. The area has a good provision for retail, commercial and other community uses.
- 10.61. A small professional services office unit is not considered to cause unacceptable harm to the neighbourhood or its residents amenities. The site is within views and reach of the existing commercial centre and Jericho has a generous provision of small offices, studios and other special opportunities for business and enterprising, which in turn helps to create the unique and popular character and atmosphere within this part of the city.
- 10.62. The proposal is in accordance with CP1, CP6, CP8 and CP10 of the OLP and CS18 of the Core Strategy and is therefore acceptable.

**xii. Other matters**

- 10.63. The site has been subject to a recent appeal following the recent refusal of planning permission by the City Council. The planning inspector allowed the appeal and has granted planning permission for the erection of a part two, part three storey building to provide 2 x 1-bed and 1 x 2-bed flats (Use Class C3).
- 10.64. The proposed development had some similarities with the proposals in this application. The proposed development was for a modern building with balconies. The main difference was that the scheme provided an additional residential unit and there was no office unit at the ground floor. The proposed development was also sited further forward of the adjacent properties (at upper floor levels). The Inspector found the appeal proposal acceptable, and that it did not harmfully impact on the character of the Conservation Area and neighbouring amenities. Officers recommend that members should be aware of this extant approval that now exists on the site and the fallback position that this gives rise to.

**11. CONCLUSION**

- 11.1. The proposal for a three storey building comprising two flats and a ground floor office unit are considered acceptable in the context of local planning policies and the NPPF. The proposed development would be acceptable in design terms, not give rise to a harmful impact on a designated heritage asset and would not lead to unacceptable harm to the amenity of neighbouring residential occupiers.
- 11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions recommended below.

## 12. 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 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 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 the visual appearance of the Jericho Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 4 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 remains (Local Plan Policy HE2).

Scope of recording: The archaeological investigation should consist of either a trial trench or a targeted watching brief during development depending on the character of the proposed foundations. I would be happy to discuss this matter directly with the applicant. The archaeological investigation should be undertaken by a professionally qualified archaeologist working to a brief issued by ourselves

- 5 All developments which increase the size of the hard areas must be drained using SUDs methods, including porous pavements to decrease the run off to public surface water sewers and thus reduce flooding. Soakage tests should be carried out to prove the effectiveness of soakaways or filter trenches.

Reason: To prevent flooding affecting the highway

- 6 The development hereby permitted shall not be occupied until the Order governing parking at 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.

- 7 Prior to the commencement of the development a Construction Travel Plan, which shall include routing arrangements for construction vehicles, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken strictly in accordance with the Construction Travel Plan as approved at all times.

Reason: In the interests of local amenity and the free flow of traffic on the public highway in accordance with policies CP1, CP19, CP21 and TR2 of the Adopted Oxford Local Plan 2001-2016.

- 8 The obscured glazed windows in the side elevations and the obscure glazed glass screens to the balcony and terrace should be maintained and retained obscure glazed for perpetuity.

Reason: To protect and ensure adequate residential amenities in accordance with HP14 of the Sites and Housing Plan.

- 9 Prior to the first occupation of the approved development the approved cycle parking and storage areas as outlined in the approved site plan shall be installed and retained thereafter.

Reason: To provide adequate cycle parking as required by Policy CP10 and TR4 of the Oxford Local Plan 2001-2016 and Policy HP15 of the Sites and Housing Plan 2001-2016.

- 10 Prior to the first occupation of the approved development, the refuse and recycling area as shown on the approved plans shall be installed. This area shall be retained for the purposes of providing refuse and recycling storage.

Reason: To ensure that there is adequate refuse and recycling storage as required by Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan (2013).

### **13. APPENDICES**

**Appendix 1 – Site Location Plan**

**Appendix 2 - Appeal decision (17/00874/FUL)**

### **14. HUMAN RIGHTS ACT 1998**

- 14.1. 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.

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



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

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