

West Area Planning Committee

9th October 2018

Application number: 17/02832/FUL

Decision due by 23rd January 2018

Extension of time 31st October 2018

Proposal Demolition and redevelopment of existing retail office, and residential premises, to provide a mixed-use scheme comprising 4 x units (use classes of either A1,A2,A3 or A4) at ground floor with a 180 bed hotel over three floors and 6 maisonette flats over two floors (1x1 bed, 1x3 bed, 4x2 bed) (amended plans) (amended description)

Site address 276 - 280 Banbury Road,– see **Appendix 1** for site plan

Ward Summertown Ward

Case officer Felicity Byrne

Agent: Mr Matthew Rhodes **Applicant:** GHSR LLP And Easy Hotel Ltd

Reason at Committee Major development

1. RECOMMENDATION

1.1. is recommended to:

1.1.1. **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; and subject to:

- the satisfactory completion of a legal agreement under section.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

1.1.2. **agree to delegate authority** to the Head of Planning, Sustainable Development and Regulatory Services to:

- 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; and
- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in

this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and

- complete the section 106 legal agreement referred to above and issue the planning permission.

2. EXECUTIVE SUMMARY

- 2.1. This report considers the proposed re-development of a mixed use site within Summertown District Shopping Centre to a new mixed-use development comprising retail, hotel and residential accommodation. The report concludes that the principal of the development in this location is acceptable. It would maintain the vitality and viability of the District Shopping Centre. The design of scale and massing of the proposed building would be appropriate for the location. The building would have no significant adverse impact on local residential amenity in terms of overlooking, privacy and daylight/ sunlight. Appropriate landscaping, including improvement to the Banbury Road street frontage, is proposed and would enhance the site and street scene at this point.
- 2.2. In terms of impact on the highway and parking, the site is in a sustainable location which has good public transport links into and out of the District Shopping Centre and the City Centre itself. The report concludes that sufficient information and plans has been submitted to demonstrate that on a worst case scenario the development would not cause overspill parking on the neighbouring highway network. There would also be no adverse impact on the highway network and access to parking and servicing and deliveries to the development would be carefully managed.
- 2.3. The scheme would accord with the aims and objectives of the National Planning Policy Framework would constitute sustainable development, and, given conformity with the development plan as a whole, paragraph 11 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies.

3. LEGAL AGREEMENT

- 3.1. This application is subject to a legal agreement to secure a contribution of £69,212 towards affordable housing.

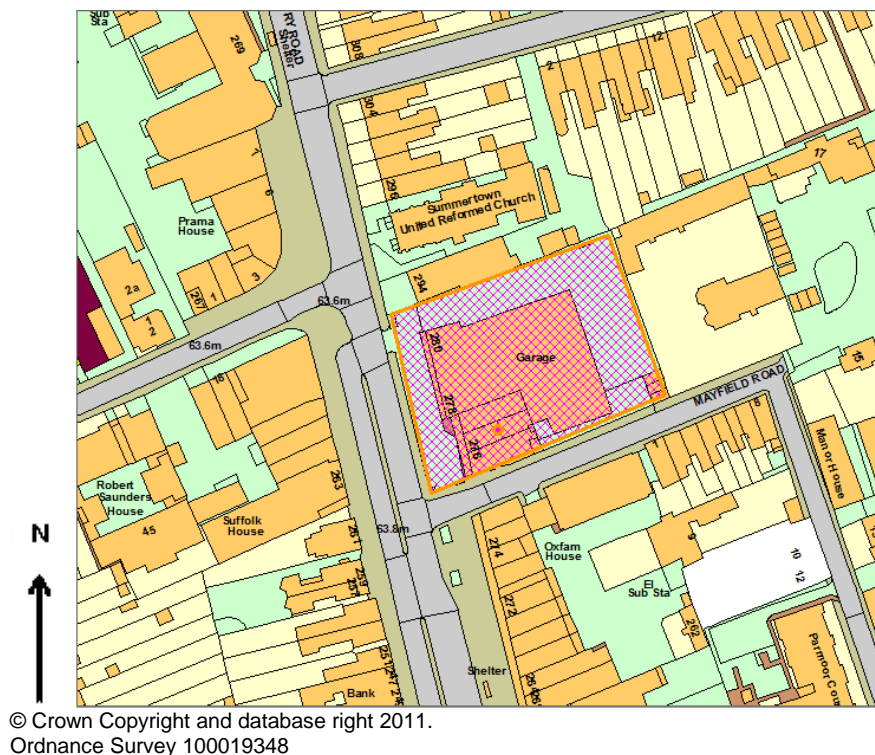
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL. The original scheme amounted to £69,212. Committee will be advised of the updated amount for the amended proposal at Committee.

5. SITE AND SURROUNDINGS

5.1. The site lies within Summertown District Centre on the corner of Banbury Road (A4165) and Mayfield Road and consists of two existing buildings Nos 276 (Gordon House) and Nos.278-280 Banbury Road comprising mixed use; 5 retail (Class A1) and estates agents units (class A2), a sui generis Garage, Offices (class B1) and 6no.maisonette flats (Class C2), with associated car parking. Adjacent to the north of the site is an attractive, but non-listed, Victorian building (294 Banbury Road) occupied by an Estate Agents and beyond that Summertown United Reformed Church (294A Banbury Road). Beyond to the north and east is the suburban residential area that wraps around the District Shopping Centre. To the east is Mayfield School and south east are the residential properties on Mayfield Road. To the west and east of the site on Banbury Road are the commercial mixed use buildings within the District Shopping Centre, in varying architectural styles and form from Victorian, to mid-20th Century and late 20th century buildings. Mayfield Road is a one way street and vehicles exiting the site have to turn right up to the junction with the Banbury Road.

5.2. See block plan below:



6. PROPOSAL

6.1. The proposal is seeking planning permission for the demolition of the existing buildings on site and their replacement with a 5 storey mixed-use building comprising 4 commercial units, 180 bed hotel and 6 maisonette flats (1x3bed, 1x1bed and 4x 2 bed units):

6.2. The proposed uses would be accommodated throughout the site as follows

- Ground Floor: 4 no. A1–A4 commercial units and Hotel entrance lobby. Associated servicing, plant, internal bin and cycle storage. Residential access lobby from Mayfield Road and associated internal bin and cycle storage;
- First & second floors: hotel bedrooms;
- Third floor: hotel bedrooms and 6 maisonette flats (ground floor);
- Fourth floor: upper floor of the maisonette flats;
- Externally a total of 29 car parking spaces are provided: 20 for the hotel (rising to 26 after 8pm), 1 residential and 8 spaces for commercial units (6 of these utilised by the hotel after 8pm). One disabled space is provided and electric vehicle charging points. Existing access entry from Banbury Road and exit onto Mayfield Road would be used with a controlled one way in and out access. Drop off parking for taxis within the site for the hotel.
- New public realm landscaping and landscaping of the rear parking/ courtyard area. Green roof provided on the internal courtyard roof.

7. RELEVANT PLANNING HISTORY

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

Gordon house – 276 Banbury Rd

72/25369/A_H - Erection of 3 No shops, offices and 5 No maisonettes (Gordon House, 276 Banbury Road). PER 22nd February 1972.

78/01164/A_H - New office front (Unit 2 Gordon House, 276 Banbury Road). PER 29th January 1979.

88/00829/NF - Change of use from retail shop to estate agent. (Unit 3 Gordon House, 276 Banbury Road). PER 20th September 1988.

04/00142/FUL - Change of use of ground floor from Class A1 retail to Class A2 offices (Unit 1 Gordon House 276 Banbury Road).. REF 29th March 2004.

15/01251/FUL - Change of use from Use Class A1 (Retail) to Use Class A2 (Financial and Professional services). PER 17th July 2015.

278-280 Banbury Road

50/00023/D_H - Extensions (in principle) (North Oxford Garage Ltd 280 Banbury Road). PER 16th March 1950.

55/04647/A_H - Petrol tank pump and kiosk (North Oxford Garage Ltd 280 Banbury Road). PER 26th July 1955.

63/13936/A_H - Reconstruction of petrol filling station, erection of canopy and two new 3000 gallon and one 5000 gallon petrol tanks (North Oxford Garage Ltd 280 Banbury Road). PER 10th September 1963.

65/17065/A_H - Provision of offices over existing showroom and additional accommodation (North Oxford Garage Ltd 280 Banbury Road). PER 14th December 1965.

69/21640/A_H - Outline application for the erection of motor vehicle showroom, supermarket, offices and maisonettes (280 Banbury Road). PER 19th August 1969.

69/21641/AA_H - Erection of new workshop for vehicle maintenance (280 Banbury Road). PER 19th August 1969.

69/21641/AB_H - Erection of new workshop for vehicle maintenance (revised) (280 Banbury Road). PER 28th October 1969.

69/21641/A_H - Outline application for the erection of workshops for motor vehicle maintenance and car sales display area (280 Banbury Road). PER 10th June 1969.

86/00293/NF - Rebuilding of service and parts areas. Alterations to showroom. Removal of petrol filling forecourt and replacement with car sales display at North Oxford Garage 280 Banbury Road. PER 7th May 1986.

07/01241/FUL - Change of use of front portion of site from car showroom to a retail/financial and professional service use (Use Class A1/A2). Continued use of rear part of site as workshop (Use Class B2). External alterations. (280 Banbury Road). WDN 25th July 2007.

07/02270/FUL - Change of use of front portion of building from car showroom to a Class A1 retail shop (Unit 1) and either Class A1 retail shop or Class A2 financial and professional services (Unit 2). Continued use of the rear of the building as motorist centre including sale and fitting of tyres, exhausts, brakes, MOT testing with associated external alterations. (280 Banbury Road). PER 30th November 2007.

08/00471/VAR - Variation of condition 4 of planning permission 07/02270/FUL (noise levels) to allow the premises to operate between the permitted opening hours Monday to Saturday with noise levels at no more than 40dB Laeq 1 hour and between the permitted hours on Sunday at no more than 35 dB Laeq 1 hour . (280 Banbury Road). PER 28th May 2008.

08/00472/VAR - Variation of condition 11 of planning permission 07/02270/FUL (opening hours) to allow the premises to remain open until 5.30pm on Saturdays and between 10.00am and 4.00pm on Sundays (Unit 3 280 Banbury Road).

278-282 Banbury Road

17/00476/FUL – Demolition of existing building. Erection of two storey building to provide 4no. retail units (Use Class A1). Provision of car parking and bin and cycle stores.(Amended plans). PER 16th May 2017

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	117-123, 124-132	CP8 CP9 CP10 RC13	CS18_ CS19_	HP9_ HP11_ HP12_ HP13_ HP14_	
Conservation/ Heritage	184-202	HE2 HE3 HE7			
Housing	59-76		CS23_ CS24_	HP1_	
Commercial	85-90	RC4 RC11 RC12	CS1_ CS31_ CS32_		
Natural environment	170-183	CP11 CP13 NE13 NE14 NE23	CS11_ CS12_		
Social and community	91-101			HP4_	
Transport	102-111	TR1 TR2 TR13 TR3 TR4 TR12 TR14		HP15_ HP16_	Parking Standards SPD
Environmental	117-121 148-165, 170-183	CP18 CP19 CP20 CP21 CP22 CP23	CS9_ CS10_		Energy Statement TAN
Miscellaneous	7-12	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 28th June, 23rd November and 4th September. An advertisement was published in The Oxford Times newspaper on 28th June, 23rd November and 6th September 2018.

9.2. The consultation responses received in relation to the application are summarised below. Officers would make members aware that copies of all the consultation responses listed below are available to view in full on the Council's public access website.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.3. The County has provided the following responses

First response 20th December 2017:

9.4. This is summarised as follows:

Principle of development at this location is accepted, however the submission does not provide sufficient details as listed below:

- Proposal includes 180 guest rooms and 1,112 square metres of retail use
- Reduction in parking provision
- No drop-off/taxi facility provided
- Proposal will raise number of employees from 40 to 83
- Lack of information regarding alterations to accesses and lack of visibility splay drawing for exit to Mayfield Road.
- Lack of traffic impact analysis for the AM peak hour.

Second response 19th July:

9.5. This is summarised as follows:

- Proposal includes 180 room hotel, 1112sqm retail use and 6 flats (4x2-bed, 1x3-bed & 1x1-bed)
- Lack of parking for hotel leading to potential additional parking stress on local streets
- Insufficient modelling of Mayfield Road/Banbury Road junction
- Lack of information regarding operation of access gate to parking area
- Lack of cycle storage for residential units
- Tracking shows overrun into parking bays and across pavement
- Submitted documents states Easyhotels have lower car use than other hoteliers – planning permission is for a hotel so could change ownership
- Parking surveys showing severe parking stress on local residential streets on Saturdays which is likely to be [the] busiest period.

Third response 18th September 2018:

9.6. This response supersedes previous response dated 11/07/18. This response follows further information submitted (namely Transport Statement Addendum reference EASY/18/4179/TN03 & Car Parking and Delivery Management Plan). These documents along with previously submitted car parking surveys form the basis for this response and the removal of Oxfordshire County Council's highways objection.

9.7. Traffic Generation/Junction Capacity

9.8. The traffic generation presented has not been developed using the correct selections. The data shows a number of London sites, this is not generally accepted outside of London due to the high number of different modes of transport within the capital. Secondly, one of the areas selected for comparison is Town Centre, whilst deemed a sustainable location, Banbury Road is not considered the town centre.

9.9. However, the junction capacity assessment shows no severe harm caused by this development on the junction and residual capacity. With the sustainability of the location in regard to bus services (the number 500 bus travels to the train station every 15 minutes) and with arrivals/departures generally being spread throughout the day, it is not deemed that this proposal will cause a severe impact upon the highway network.

Car Parking

9.10. Potentially the biggest concern of this development is the impact upon the local residential streets from hotel car parking. However, with the sustainable location and the general users of the hotel, along with the measures (as described below) put in place by the applicant it is deemed that that the impact has been sufficiently mitigated.

9.11. The submitted parking surveys show that if all hotel users travelled by car, the local car parks would not be able to fully provide enough spaces. However, it is accepted that with the sustainability of the location and the budget nature of the hotel, it is highly unlikely that this will occur.

9.12. The parking survey shown that the public car parks in the area are busiest at around 10:00 and 11:00 am on weekdays when on-street parking restrictions are in force. At these points the survey shows 88 spaces still available, at this point the car park to the rear of the hotel will provide an additional 20 spaces for hotel guests (rising to 26 after 8pm), as the hotel website will direct people to the public car parks it is deemed that the residential streets will not suffer severe harm from the development.

9.13. The on-site car parking will be allocated as follows and a Car Parking Management Plan will be conditioned to ensure these remain allocated in this way:

- Hotel: 20 spaces in daytime with further 6 after 8pm
- Retail Unit 4: 2 permanent spaces plus 6 between 10:00am and 20:00pm
- 3-bed residential unit: 1 space

- Total: 29 spaces including 2 disabled spaces

9.14. Due to the sustainable location of the site, it is deemed that the residential units can be excluded from eligibility for parking permits so not too add further parking stress to the residential streets.

Cycle Parking

9.15. Further details of the cycle parking have been submitted. This shows a cycle store housing 33 bikes which can be used by residents, hotel guests and staff of all units on the site. For patrons of the retail units, a further 20 spaces are provided to the front of the site, along with 2 bike pumps. This is in line with Oxfordshire County Council's cycle parking standards and as such is accepted.

Gate Operation

9.16. The site will operate as a one-way system. Vehicles will be able to enter freely from Banbury Road through an automatic barrier but will not be able to leave the same way, instead they will be able to exit through a separate barrier onto Mayfield Road. This barrier will be operated by using tokens given to the users by retail/hotel staff and will also have an intercom system so refuse vehicles/taxis will be able to travel through the site without leaving their vehicles.

9.17. For this to work it relies on there being someone available at the hotel reception 24 hours a day, if this is not managed correctly it may result in taxis not using the site and dropping off guests on Banbury Road which is not acceptable. The operation of the gate will be included in the Car Parking Management and Delivery Plan which requires a condition.

Refuse and Delivery

9.18. Tracking has been submitted showing that a 10-metre vehicle can safely enter and exit the site. This is the largest vehicle that will enter the site and this will be enforced through the Car Parking Management and Delivery Plan which will be conditioned.

Summary

9.19. Whilst the concerns of local residents have been considered, it is deemed that the public car parks in the area and the hotel car park can adequately cope with the vehicles generated from the development. Whilst adding additional vehicles to the network is not ideal, the submitted surveys demonstrate that the impact of this development is not severe and Oxfordshire County Council as the Local Highway Authority does not object to this application subject to the conditions stated above being included in any permission granted.

9.20. Conditions requiring a Construction Traffic Management Plan, Travel Plan, a Car Park Management and Delivery Plan and Excluding the flats from eligibility for Residents Parking Permits.

RSPB

9.21. Swift boxes should be installed in the new building.

Thames Water Utilities Limited

9.22. Response 16th July: *Waste Comments* Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. Thames Water would advise that with regard to surface water network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

9.23. *Water Comments:* Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following a condition be added to any planning permission requiring details of all water network upgrades required to accommodate the additional flows from the development.

9.24. The proposed development is located within 5m and 15m of a strategic water main. Thames Water have contacted the developer in an attempt to agree a piling methodology, but have been unable to do so in the time available and as such Thames Water request that a piling method statement condition be added to any planning permission.

9.25. The proposed development is located within 5m of a strategic water main. Thames Water do not permit the building over or construction within 5m, of strategic water mains and have contacted the developer in an attempt to agree how the, asset will be diverted / development will be aligned. We have been unable to agree a position in the time available and as such Thames Water request that a condition requiring details of how the asset is to be diverted be added to any planning permission.

Environment Agency

9.26. Response of 4th December 2017: Previous uses at this site may have caused some land contamination that could be mobilised during construction leading to pollution of controlled waters. Controlled waters are particularly sensitive in this area because the proposed development site is located upon a Secondary A aquifer. The Phase 1 Desk Study and Risk Assessment reference AF0239 dated July 2017 compiled by CJ Associated Geotechnical Limited, submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken.

9.27. We consider that planning permission could be granted to the proposed development as submitted if the following planning condition [Phased risk assessment] is included on any planning permission. Without this condition, the

proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

9.28. We would like to highlight that groundwater may occur at relatively shallow depth at this site. Reference is made within the Site Investigation to a fuel filling station with underground tanks previously located on site. It is not uncommon for mobile contaminants such as some hydrocarbons, to migrate rapidly from point sources, leaving minimal impact to the soil, but significantly impacting on groundwater. Direct groundwater sampling is the most comprehensive method to demonstrate if any impact to groundwater has occurred. The detailed site investigation scheme sought under condition 1 would need to include a comprehensive groundwater sampling. We advise that decommissioned tanks should be removed, and all sides of the excavation should be checked for the presence of contamination.

9.29. Response of 16th July 2018: The proposed amendments do not alter our advice already made on 4th December 2017.

Historic England

9.30. Thank you for your letter of 14 November 2017 regarding the above application for planning permission. On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are enclosed.

9.31. Thank you for your letter of 25 June 2018 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Thames Valley Police

9.32. Do not wish to object to the proposals but have concerns in relation to community safety/crime prevention design and suggest a condition requiring CCTV: Advice is summarised as follows:

- I am concerned about the multiple uses of the development in relation to segregation, access control and surveillance. I am willing to advise the authority/applicant further on how a safer environment can be created in respect of this and provide some guidance at the end of this response.
- The DAS states that the rear parking and service area will be 'Enclosed and secure'. However, it is unclear how this will be achieved. The plans show an 'Access barrier' and no boundary treatment at the main vehicular entrance. Also, there are two sections of low wall on the north boundary of the development that could be easily climbed. Therefore, the area will not be secure or enclosed. I strongly recommend that the plans are revised to ensure this is the case, including details of gates and fences, and on how access will be controlled. For guidance, gates and fences should be visually permeable, at least 2m in height and robust (with gates proven to be reliable in operation to a minimum standard of LPS1175 SR2).

- The Banbury Rd frontage requires careful consideration. The landscaping scheme should not impinge upon natural surveillance, street lighting or CCTV. Tree/shrub positions, habit and final growth height/spread should be considered to avoid this. A holistic approach should be taken in relation to landscape, CCTV and lighting and SBD guidance on all should be followed. In addition, the proposed street furniture, planters and bollards should be robust and extended to ensure vehicle intrusion is prevented on to any of the paved areas along Banbury Rd, Mayfield Rd and at the hotel entrance.
- Details of internal and external lighting schemes must be provided so that the safe and secure use of the proposed development can be assured, and to assist in reducing the fear of crime.
- Details of the location, orientation and design of the hotel reception desk must be provided before approval is given. This feature is vital in the control of the building's secure operation and the safety of patrons, residents and employees.
- The internal cycle storage is currently proposed to be used by both residents and hotel customers. Separate secure cycle storage must be provided to prevent conflicts and theft.
- Post/delivery arrangements for residents must be clarified. This should be either through the wall or via an airlock system so that unauthorised access to the private residential area is assured.
- The uses of the 6 rooms adjacent to the hotel lobby (wrapping the NE corner of the building on the ground floor), the room north of the proposed cycle store and the room east of the residents entrance lobby are not clear and must be identified before any crime prevention or security advice can be given in respect of them.

Public representations

9.33. Local Amenity Groups and local people commented on this application. A list of their addresses is appended at **Appendix 2**. In summary, the main points are summarised as below (numbers represent number of people making that particular comment):

Comments Received on First consultation

- Impact on already significant traffic congestion (131)
- Overdevelopment of the area (28)
- Hotel will bring no benefit to the residents of Summertown (33)
- Impact on the small amount of public parking currently available (51)
- No need for hotel, already adequate hotels in the area (33)
- Impact on the character of local high street and independent businesses (29)
- Out of keeping with (Victorian) buildings adjacent to site (13)
- Loss of residential units (36)
- Safeguarding & privacy issues as development will overlook Summer Fields School (40)

- Loss of residential accommodation will impact on recruiting staff at Summer Fields School (1)
- Loss of asset value to Summer Fields School (1)
- Concern over road safety with additional traffic near to Summer Fields School (12)
- Impacts on visual amenity and surrounding buildings (13)
- Concerns on the scale & height of the development (17)
- Hotel not suitable for the area (out of keeping) (46)
- Concerns of traffic flow; already problems accessing Summer Fields School (6)
- Concerns that development provides no parking (guests will inevitably arrive by car) (66)
- Concerns of increased taxi; coaches etc. to drop guests/staff at hotel, as well as service vehicles to hotel (22)
- Development will bring noise; nuisance & pollution to the area and nearby residents (35)
- Hotel will be used as a cheap “stop off” to other locations (5)
- Precedent could be set for other large hotel developments (1)
- No consideration for much needed housing provision (41)
- Providing a care home on the site (1)
- Challenge to recruit staff to the hotel (low wage against high house prices) (4)
- Concerns of replacement for low budget food restaurants (1)
- No advice sought from the Oxford Design Review (2)
- No provision for increasing public transport facilities (4)
- Limited spaces for taxis to drop off – already have current issues (2)
- Impact on services (i.e. water supply) is not adequate to sustain a hotel development (1)

In Support

- Hotel development will enhance the street front; good transport links; conforms to the Local Plan (1)
- Development will bring customers to local shops and restaurants (1)
- In support but signage & design should be considered and in keeping with area (1)
- Support residential flats but site should be devoted to affordable housing (1)

Comments Received on Second consultation (comments received on or after 22/6/18):

Comments received are of the same nature above. The comments below are particular to the amended plans and information:

- Concerns of overlooking of neighbouring properties (additional rooms) (4)
- Loss of natural light (3)
- Additional height inappropriate for the location/damage character of Summertown (9)
- Revised design – made it bigger and too bulky and out of scale (2)

- Height of hotel will overlook neighbouring residential properties and children at Summer Fields pre-prep school (3)
- Amendments have not addressed concerns of residents – parking; height of building; loss of amenity to the residents of Summertown (5)
- Development is out of proportion for the area (2)
- No provision for car parking for the proposed retail units (1)
- The Report mentions other sites (Liverpool & Luton) are situation in commercial areas of a city of town centre, not a neighbourhood shopping centre (1)
- Design of building is out of keeping with the surrounding area (1)
- No provision for affordable housing (2)
- Loss of affordable rented property if development is granted (1)

Comments Received on Second consultation (comments received on or after 22/6/18):

Again comments received are of the same nature above. The comments below are particular to the amended plans and information:

- Increase in traffic (29)
- Lack of current parking spaces in Summertown (13)
- Hotel not suitable for the area (19)
- Concerns of coaches being able to use the hotel site (3)
- Increase in noise (16) – movements in/out of hotel
- Development will impact on neighbouring properties/businesses (6)
- Discount tickets for parking – only encourages more cars to the area (2)
- Concern that new nursery/infant school opened (Sept 2018) behind proposed site (5)
- Other well established B&Bs in the area (6)
- Safeguarding issues with school (5)
- Amendments still don't address parking issues on site (13)
- Concerns of delivery lorries already dropping-off in the area (5)

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- a) Principle of development;
- b) Affordable Housing;
- c) Design;
- d) Transport and Parking;
- e) Neighbouring amenity;

- f) Landscaping
- g) Flood Risk and
- h) Other Matters – Air Quality, Land Quality, Public Art, Archaeology, Energy Efficiency and Secure by Design, Biodiversity, Flooding

a. Principle of development

- 10.2. The National Planning Policy Framework NPPF was revised in July this year and at the heart of it remains a presumption in favour of sustainable development, which should be approved without delay unless material considerations dictate otherwise.
- 10.3. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (para.117). It encourages mixed use development schemes in urban areas, particularly where there is a net environmental gain. It also encourages development to go higher above commercial and residential premises to provide new homes where development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed and can maintain safe access and egress for occupiers. In relation to retail uses and commercial development the NPPF states that planning policies should be positive, and promote competitive town centre environments.
- 10.4. Relevant to his application is the emerging ‘Summertown and St Margaret’s Neighbourhood Plan’. This plan is subject to Examination, which is currently underway and the Examiner’s Report has been received. However spatial policies relating to design and transport are relevant to the consideration of this proposal and some weight given to them given its stage in preparation in accordance with the NPPF (para 48).

Hotel Accommodation:

- 10.5. There is an acknowledged need for short stay hotel accommodation within the City. Policy CS32 of the Core Strategy (2011) (CS) seeks to achieve sustainable tourism by encouraging longer stays and greater spend in Oxford. The amount and diversity of short-stay accommodation to support this aim will be achieved by permitting new sites in the City Centre and on Oxford’s main arterial roads, and by protecting and modernising existing sites to support this use.
- 10.6. Policy TA4 of the Oxford Local Plan 2001-2016 (OLP) states that permission will be granted for development that maintains, strengthens and diversifies the range of short-stay accommodation provided that a) it is located on a main route into the City or in the City Centre; b) that it is acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements; c) part of any existing dwelling to be changed to short stay accommodation is retained for residential use; and d) it will not result in an unacceptable level of noise and disturbance to nearby residents. The hotel operator and nature of the hotel accommodation e.g. boutique or budget is not material in respect of this policy which is based on use class.

10.7. The provision of a hotel would meet the need for additional hotel accommodation and diversify the range of short stay accommodation within the in the City in accordance with CS32 of the CS and TA4 of the OLP. Issues relating to Highways and impact on residential amenities are set out in more detail below and subject to those being satisfactory; the principle of increased hotel accommodation in this location is considered acceptable.

Retail:

10.8. The application site is located within the Summertown District Centre and fronts onto Banbury Road which forms part of a designated District Shopping Frontage. At the time of submission the existing building consisted of 5 units on the ground floor; Majestic Wine and Charity shop retail unit (class A1), two Estate Agents (class A2) and one vacant retail unit (A1) within the shopping frontage. All but Majestic Wine are now vacant.

10.9. The revised NPPF states the Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaption (para 85.)

10.10. Core Strategy Policy CS1 details Oxford's hierarchy of centres and states that the application site is suitable for retail, leisure, employment and other uses serving district level needs. The site also falls within the defined district centre boundary, as set out in the Local Plan, with the site frontage forming part of the defined shopping frontage. Policy RC4 of the Local Plan requires that Class A1 uses (retail) are provided at ground floor level and that other Class A uses are acceptable provided the percentage of A1 uses does not fall below certain thresholds.

10.11. The application proposes 4 new commercial units with flexible uses, Classes A1 (retail) to A4 (drinking establishment). This would result in the net loss of one commercial unit within the development and overall within the district shopping frontage. The hotel would not provide any food/ restaurant facilities and these would have to be sought from the existing provision of food and drink establishments in Summertown.

10.12. The three existing commercial units within Gordon House are very small with a floor area of less than 150sqm. The new development would provide 4 substantially larger units with improved servicing and delivery facilities and a small number of car parking spaces. The existing forecourt parking area to the front would be landscaped to create an enhanced area providing seating, soft planting and specimen trees in keeping with the rest of Banbury Road and for the benefit of all.

10.13. A1 retail units may change use to other forms of Class A uses within the primary shopping frontage if the percentage of units does not fall below 65%. Other use classes outside Class A maybe acceptable if the percentage is over 95%. The current percentage of A1 is 64% in the primary shopping frontage in Summertown. It should be noted that the 2108 Retail Survey of 58% has been adjusted to take account of inaccuracies (double counting of vacant units).

- 10.14. The development would result in the loss of a unit and proposes that the four new large retail units are flexible in their use from A1 to A4. The Applicant has put forward the argument that the small units could change use to A3 (Café) under the current permitted development regulations. Officers do not agree with this argument in this case due to restrictive conditions relating to floor space both of individual units and cumulatively within the building, and consider that permitted development does not represent a fall-back position.
- 10.15. Notwithstanding any disagreement on permitted development, Officers consider in view of the overall net reduction of one unit within the primary shopping frontage and the introduction of a hotel use, that a minimum of two of the units should be retained as Class A1 shop use bringing the percentage A1 within the district centre up from 64% to 65%. This would allow the other two units to be flexible Class A2 (financial), A3 (Café) or A4 (pub/bar), thereby maintaining the vitality and sustainability of the District Centre as set out in CS1 and RC4 and the NPPF and in accordance with RC4 of the OLP. In addition hotel guests seeking food and drink from other establishments in the vicinity would have wider social and economic benefits for Summertown District Centre in accordance with the NPPF. It has been confirmed that Majestic Wine wish to remain in this location, hence the slightly large unit on the corner of Mayfield Road and associated car parking spaces. The use of the units could reasonably be restricted by condition. All details of signage would require separate permission under Advertisement Regulations in the usual way.

Loss of Office and Garage:

- 10.16. Policy CS28 of the Core Strategy and supporting text sets out the Councils policy for employment sites and states clearly that planning permission will not be granted for development that results in the loss of key protected employment sites. The policy allows for modernisation of an employment site where it can be demonstrated that new development secures employment; allows for higher-density development that seeks to make the best and most efficient use of land; and does not cause unacceptable environmental intrusion or nuisance.
- 10.17. Whilst the site is now almost totally vacant it was occupied at first and second floors by offices (Class B2) and a small vehicular repairs & MOT Garage (sui generis) to the rear of the site was, together employing the equivalent of 40 full time jobs.
- 10.18. The mixed use development would bring with it diverse employment opportunities and would provide the equivalent of 61 full time employment jobs from the hotel and retail (as a result of the amended plans and known occupiers). There would overall be an increase in employment on the site. The proposal therefore accords with Policy CS28 of the CS.

Residential:

- 10.19. The provision of housing is one of Oxford's greatest needs as set out in the Strategic Housing Land Availability Assessments (SLAA) and Strategic Housing Market Assessment (SHMA). The retention of existing residential accommodation and increased provision is significant in meeting this need within

Oxford and therefore afforded a high level weight. Policy CS2 of the adopted Core Strategy (CS) aims to focus development on previously developed land, and in recognition of the housing needs Policy CS22 (housing growth) and CS23 (mix of housing) of the CS set the strategy for the amount and mix of housing to be achieved on appropriate sites and how affordable housing is to be secured. These policies are further detailed in the Balance of Dwellings Supplementary Planning Document (BDSPD) which sets out the appropriate mix for residential development. There is no specific mix requirement for residential developments of 1-9 units in District Centres. HP1 of the Sites and Housing Plan (SHP) states that permission will not be granted for development that results in the net loss one or more self-contained dwellings on a site. 3 beds flats are defined as family accommodation in the SHP.

- 10.20. The existing maisonette flats in the upper floors of Gordon House (No.276 Banbury Road) provide 5 residential units 2x 2bed and 3x3bed with access to outside roof terrace space. Above Majestic Wine (No.280) is a further flat, however it should be noted that the existing residential use is unlawful and therefore not considered as a dwelling. This argument was rehearsed previously under planning permission 17/00476/FUL for the demolition of 280 Banbury Rd and erection of a two storey building to provide 4no. retail units. In this application the loss of the residential unit was justified on the basis that the existing residential use was unlawful; that it demonstrated poor quality accommodation; and that the economic benefits arising from redevelopment of the site would outweigh the loss of 1 residential unit.
- 10.21. The application proposal as originally submitted for this site would have resulted in the complete loss of all 5 maisonettes in Gordon House (2x 2-bed and 3x 3-beds). The loss was again justified by the Applicant on the basis that the buildings were in 'poor' condition and the benefits of the proposed development outweighed the loss. However the building survey showed that the accommodation was only in need of updating, but nonetheless provided the type of residential accommodation one would expect to see in an urban context and particularly a district centre. Given the need for residential accommodation in Oxford, Officers advised the Applicant that the net loss of these units was contrary to HP1 of the SHP and given the need for housing in Oxford was not outweighed by the benefits of the development. The Applicant has sought to address this through amended plans.
- 10.22. The amended plans submitted now show replacement maisonettes for all 5 existing flats and the unlawful unit above Majestic in a mix of 1x1bed, 4x2bed and 1x3bed (family) units. The lower floor of the maisonettes contain the bedrooms and bathrooms and upper floors the main living areas, which take advantage of the views and also have access to the southwest facing balconies with the exception of the 1bed. The 1bed does not have any exterior amenity space as there is no set requirement for its provision under SHP Policy HP13. Three of the larger units also have additional small balconies at the lower floor.
- 10.23. The flats have been design to meet the National Space Standards internally and requirements for outdoor amenity space, including bin storage. They are all accessible via lift from a main entrance off Mayfield Road. Therefore the

development accords with Policy HP1, HP12 and HP13 of the SHP and CS23 of the CS.

Affordable Housing:

10.24. For the purposes of Policy CS24 the remainder of the development is considered to fall within the 'commercial' category when considering affordable housing provision/ contribution as set out in the Affordable Housing & Obligations (AH&O) SPD. It states that planning permission will only be granted for commercial development that provides affordable housing to meet additional demand created. This could be in the form of a financial contribution that reflects the cost of providing the number, types and sizes of dwelling required where on-site provision is not possible as in this case.

10.25. CS24 and the SPD contain no size threshold at which a contribution will be sought; however an indicative threshold of 2,000m² net additional floor space is used to indicate when a contribution is expected. The proposed development would provide 2247sqm and therefore a contribution is required. The Applicant has agreed to contribute £69,212 towards affordable housing in accordance with CS24 of the CS. This can be secured via a legal agreement.

b. Design

10.26. The Revised NPPF emphasises that high quality buildings are fundamental to achieving sustainable development and good design creates better places in which to live and work and helps make development acceptable to communities (para 124). It goes on to set out at para 127 that planning decisions should ensure developments:

- Function well and add to the overall quality of the area, during the whole of its lifetime;
- Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- Sympathetic to local character and history, including the built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as densities);
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

10.27. However, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies design should not be used by the decision-maker as a valid reason to object to development.

10.28. 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 make best and most efficient use of land, incorporate high standards of design and respect local character. The St Margaret and Summertown Neighbourhood transport spatial policies also seek to ensure high quality design that is appropriate to its context and any heritage assets.

10.29. In considering the development as originally submitted Officers advised the Applicant that the proposed building as was unacceptable due to its overly horizontal in emphasis and large bulk and mass within the street scene. This did not reflect the smaller rhythm and grain of the shop fronts opposite or the grain of the residential to the north, which was considered more appropriate than that of the larger mid-20th Century and later additions in Summertown which it appear to reflect. The development was also not reaching its full potential in terms of density and optimising the potential of the land, particularly in view of the loss of residential and that the building was lower than adjacent buildings.

10.30. In order to resolve these issues the emphasis and detailing of building facades has used greater verticality and rhythm; taking the individual ground floor retail units as a starting point for the vertical emphasis right to the top of the building. Parts of the main building façade on Banbury Road are set back and the top floor is set back from the main elevation behind the outdoor balcony space which is sufficient to reduce the overall feeling of height and bulk and massing. The parapet to the main façade is both solid and glass, acting as the balustrade to the residential balconies behind. The hotel lobby remains the fifth vertical element and is set back 4m from the main elevation. The same principle has been employed to Mayfield Road to better respond to the more domestic scale of the terraced housing. It is considered that this treatment has broken down the massing and allowed the building to respond more appropriately to its context, despite having an additional floor added in order to re-provide the existing residential accommodation.

10.31. It has been designed to meet the functional requirements of the hotel operator's model for accommodation. Therefore the rooms, with the exception of accessible rooms, are very minimal in size to allow a bed, minimal circulation space and an ensuite (there is no minimum size standard for hotel accommodation). 8 accessible rooms are provided, 4 each on first and second floors, and have been designed to meet current standards, allowing for wheelchair access etc. The upper floors are centred around a central courtyard with a proposed green roof, although it would only be accessible for maintenance purposes.

- 10.32. In terms of height Gordon House, which is four storeys, is the same height as the lower ridge/ parapet line of the adjacent building on the corner of Mayfield Road (274 Banbury Road), which rises another floor above it although set back. The new building's overall height and parapet level would be lower than that of both overall height and parapet height of No.274. It also follows the same building line as No.274 and is set back approximately 8m from the pavement. Whilst the building sits forward of the Victorian building to the north, it has been moved further away, which allows a further degree of separation and thus would form an appropriate transition between the two buildings within the street scene. To the rear (east) there is sufficient distance between the school building and proposed building across the carpark and the school grounds so that the building would not be overbearing, despite it being higher at the rear than the existing building.
- 10.33. Details of the façade treatment and proposed materials have been submitted. Power coated aluminium window frames would be set with in deep brick reveals. Different window types have been employed such as bays and angled oriel windows (rear) and inset balconies offer relief and interest within the facades. The proposed red bricks would be in expressed in different bonds, patterns and inset panels. These design details would add another layer of visual richness to the building.
- 10.34. The revised NPPF emphasises the importance of good quality design and whilst the building is not highly innovative or push the boundaries of architecture as some buildings in Oxford have in recent times, the design is acceptable. The existing buildings are not an exemplary example of good 20th Century architecture and do not positively contribute to the street scene. The verified views of the proposed buildings show that the building would sit comfortably within the street scene in terms of height and massing. The development makes best and most efficient use of the existing site.
- 10.35. It is therefore considered that the building accords with Policies CS18 of the CS, CP1, CP8, CP9, CP10 of the OLP and HP9 of the SHP and the NPPF.

c. Impact on neighbouring amenity

Privacy

- 10.36. The Applicant has taken on board objections raised in relation to direct overlooking to Mayfield School to the rear from the rear (east) elevation windows and into the Church hall through their high level/ upper windows. On the rear elevation these concerns have been addressed through the use of angled oriel windows and internal splayed windows at upper floor windows which restrict views towards Mayfield Road direction. There would be no direct overlooking as a result. At ground floor views are restricted by the existing 2.85m high wall that surrounds the site. Tree planting has been proposed that will also provide screening as they mature.
- 10.37. In relation to the Church Hall, the building as amended is reduced in footprint at the rear so the building does not extend as far back as existing. On the proposed north elevation much of the new building would be shielded from views

towards the Church and Hall by the existing Victorian building and its roof (No.294) immediately adjacent to the north. The Hall is only visible in between the end of No. 294 and a two story outbuilding to its rear, a gap of approximately 9m. As amended, the proposed top third floor windows would be angled oriel windows that would direct views towards the Banbury Road and away from the hall and neighbouring residential properties on Lonsdale Road. At first and second floor the most easterly rooms in that façade would face towards the Hall. However given the distance between the buildings in excess of 25m together with the high level nature of the windows in the hall, it is considered that it unlikely that hotel guests would be able to see in.

Overbearing

- 10.38. In terms of outlook and visual appearance the building would appear larger than the existing building, particularly at the rear. However due to the distance to the site boundary and adjacent properties it is considered that the building would not appear overbearing to neighbouring properties as a result. It would have approximately 10m separation to the adjacent building to the north and approximately 23m separation across the rear courtyard parking area to the boundary wall to the east with Summerfield School. Properties on the opposite side of Mayfield Road would be approximately 11m away. The proposed landscaping would soften the views towards the building from the rear.

Sunlight and overshadowing

- 10.39. In terms of impact on light, the application submitted a sunlight and Daylight Study assessment based on the BRE guidance which shows that as originally submitted there would be no significant harm to light received to the windows of neighbouring properties as a result of the proposed development. Neither would adjoining properties suffer from either excessive or unacceptable levels of overshadowing from the proposed development. The development has now been moved further away from the rear and residential accommodation at Summerfield and Mayfield Road. It is consider that overshadowing would not be significantly more than currently exists due to proximity of existing buildings and structures across the rear service yards/ car parks and road. No objection is therefore raised in terms of impact on light and overshadowing.

Noise and disturbance:

- 10.40. Concern has been raised regarding noise and disturbance from deliveries and servicing. The Environmental Noise Impact Assessment by Acoustic Design Ltd dated 1st September 2017 contains includes a noise survey and details of the expected noise issues for new hotel rooms and site noise emissions. Given its location great care is needed during the demolition and construction phases in order to minimise environmental impacts on nearby domestic and commercial occupiers. The hotel has also submitted information in this regard which states that deliveries would be minimal and limited to laundry and waste collection. There are no restaurant facilities in the hotel; however two of the commercial ground floor units could become A3 as mentioned earlier in the report.

- 10.41. In view of the proximity to residential properties, details of any air conditioning, mechanical plant, extraction equipment required by the hotel and commercial units could be secured by conditions in order to maintain the existing noise climate and prevent ambient noise creep in the interests of the residential amenities. In addition hours of delivery could be conditioned so that these are outside peak hours and not on Sundays or public holidays. A condition requiring a Construction Environmental Management Plan would seek to control and mitigate issues arising from demolition and construction.
- 10.42. In summary it is considered that the development as amended would not have neighbouring amenities and as such accords with CS18 of the CS, CP1, CP8, CP9, CP10, CP19 and CP21 of the OLP.

d. Transport

Transport sustainability

- 10.43. The site lies within the Summertown District Centre and is considered a sustainable location which is well served by public transport in and out of the city, including Oxford North Railway Station, Water Eaton Park and Ride and the City Centre itself. The NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement. The Oxford Local Plan 2001-2016 also requires Transport Assessments from development that is likely to have significant transport implications. Importantly it also states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. The St Margaret and Summertown Neighbourhood transport spatial policies also seek to ensure sustainable development that would not adversely affect the highway network, encourage sustainable modes of transport and retain existing levels of car parking in the area.
- 10.44. A Transport Assessment has been submitted with the application which considers the impact of the development upon the highway network. This has been supplemented by additional Transport Addendums, Technical Notes, and an Outline Car parking and Delivery Management Plan.
- 10.45. Concern has been raised by residents about the potential adverse impact on car parks and residential streets from parking related to the hotel and commercial units, and impact on the highway network from traffic generation, junction capacity, deliveries and waste collection, taxis and coaches to the hotel. The County Council as highway Authority had also raised concerns and their comments are set out at paragraphs 9.3-9.19 above. In response and in order to address the concerns raised, the Applicant undertaken further parking and traffic surveys and trip generation calculations and amended the onsite cycle and car parking provision, clarified servicing and deliveries, control of parking and access to the site, improved access visibility onto Mayfield Road.
- 10.46. Further information has been submitted about the hotel operator. Easy hotel customers would mainly arrive by public transport and car usage is minimal due to the 'super budget' hotel model they operate. Evidence submitted states that in 2014 over half Easy hotels guests were from overseas, which is likely to be

due in part to being part of the 'easy' brand which includes the Easyjet airline. On average customers stay for 2 nights. Data gathered from other hotels shows that Easyhotel guests are predominantly on leisure-related stays (~67%), followed by business trips (~27%) and visits to family / friends (~7%). Easyhotel distributes 100% of their rooms through their own website. It does not promote coach booking and does not provide discounts for large groups. The Agent has confirmed that that only limited parking onsite would not be advertised as available on their website and customers would have to contact the hotel direct to enquire. In this way the amount of car parking would be controlled.

10.47. Access into the car park would be from Banbury Road, via a barrier. This barrier will allow automatic entry to any vehicle. Exit from the car park would be via Mayfield Road, which would also be barrier controlled. However, the exit barrier will be controlled such that only residential occupiers, customers of retail unit 4, or the hotel including taxis and servicing vehicles could exit the site with either a token/ code number/ key or intercom.

10.48. There are 43 existing car parking spaces on site. The development reduces this to 29 car parking spaces. These would be allocated as follows:

- 1 space for the proposed 3 -bed residential unit on site. This parking bay would be accessed via a drop-down bollard and the resident provided with a key both for the bollard and the exit barrier.
- 6 spaces for the dual-use of Retail Unit 4 (Majestic) and the Hotel. Hotel customers will only be able to occupy these 6 spaces between the hours of 8pm and 10.00am, i.e. outside the proposed trading hours of Unit 4. Within those hours the spaces would be reserved for retail customers of Unit 4. This would be enforced by way of signage and whichever system is implemented for the exit barrier, as outlined above. Retail customers would have to obtain an exit token from Unit 4, regardless of whether they make a purchase or not.
- 2 spaces would be for the exclusive use of Retail Unit 4. None of the other retail units would have access to parking.
- 20 spaces would be reserved for Hotel customers. Again, this would be enforced via signage and the exit system. Customers would be provided with details of on check-in.

10.49. The hotel website would make it clear that on-site parking is not available and would recommend relevant nearby public car parks. This information would be provided to guests on booking and also upon confirmation of their booking. A designated taxi bay is proposed within the development adjacent to the Hotel entrance to ensure that guests can be safely dropped off/picked up. Given that this is a hotel use (customers cannot check-in until after 15:00), the peak demands would be overnight and would not therefore conflict with the peak daytime demands within public car parks.

10.50. Guests of the hotel would be encouraged to use non-car modes and directed towards public transport. Travel information including maps, public transport fares, timetables and operating hours would be provided. This would focus on

the high frequency bus services along Banbury Road and connections to various national rail services. This information would also be given before and after booking. In anticipation of some guests wishing to arrive by car they would also be directed to Water Easton Park and Ride which is a 6 minute ride away and operates every 10 minutes, in addition to the public car parks.

- 10.51. Further information of deliveries and serving has also been provided, together with the Outline Car Parking and Delivery Management Plan. The hotel would require a 1 x linen delivery per day and would utilise a 7.5t box van (8m vehicle) to carry out these deliveries. All other deliveries to the site, including those associated with the hotel, would be made between 08.00hrs and 20.00hrs. Retail Unit 4 (Majestic) requires deliveries twice weekly by a 10m vehicle, for which a tracking plan has been separately submitted. This would be the largest vehicle accessing the site. The applicants would be happy to accept a condition to this effect in terms of vehicle size. Delivery types/times to the other retail units are not yet known but to fall within the scope of these suggested restrictive delivery times. All future operators would be made aware of the restrictions stipulated in this Car Parking and Delivery Management Plan and would have to adhere to the restrictions on delivery vehicle sizes and timings.
- 10.52. The County Council is now satisfied that the information submitted demonstrates that the development would not cause an adverse impact on the highway network in terms of traffic generation or car parking, subject to conditions. The traffic surveys and data, which include trips generated by Summerfield School's new pre-prep, there is sufficient capacity at the junction of Mayfield Road and Banbury Road. Vehicles would enter the site from Banbury road via the existing access and leave via Mayfield Road and so there should not be any adverse impact on the rest of Mayfield Road, which is one way.
- 10.53. Whilst finer details of the actual control barrier system are to be considered, the information submitted demonstrates that there should not be an adverse impact on the Banbury Road as a result of taxis or other vehicles waiting to get into the site. The amount and distribution of the car parking spaces at the rear needs careful management by both the Hotel and Unit 4 (majestic). The number of spaces for this Unit as required by Majestic in order to meet its needs as a bulk -buy commercial enterprise. None of the other commercial units would have parking. The details could be secured via revised and finalised Car Parking and Delivery Management plan.
- 10.54. In relation to car parking and impact on surrounding streets and public car parks, the concerns of residents are understood. 180 hotel bedrooms, some of which being doubles/ twins could potentially result in a significant number of cars to the site and Summertown in a worst case scenario situation. However, the super budget operation of Easyhotel and the evidence submitted regarding its customers suggests that most of its guests would arrive by public transport and stay only for one or two nights. It is in a sustainable location well facilitated by bus services and not far from the Park & Ride and Oxford North Station. The local public car parking surveys undertaken show that in a worst case scenario at peak times there would not be enough public car parking. Hence the provision of the 26 spaces at the rear, 20 exclusive and 6 after the retail Unit closes.

Notwithstanding that, the check in times of the hotel after 3pm means that much of the potential demand by hotel guests would be later on in the day and overnight. The details submitted outline how the Hotel would advertise car parking when booking, control parking on site and promote public transport. It is therefore considered that the proposed development would not have a significantly detrimental impact on the highway network or car parking, subject to the conditions requiring a Travel Plan and Car parking and Delivery Management Plan.

- 10.55. The County have suggested that the flats are excluded from the Controlled Parking Zone. The current flats in Gordon House are already included within the CPZ and are eligible for parking permits. Evidence from the parking surveys done shows that there is capacity in the area to accommodate this properties. The County has therefore agreed to remove this suggested condition.
- 10.56. The proposal accords therefore with Policies CP1, TR1, TR2, TR4, of the OLP and HP16 of the SHP.

Cycle parking

- 10.57. For the hotel use a minimum there of 1 cycle parking space for every 5 members of staff plus one space per every resident member of staff is required. The retail (shop) a minimum 1 space per 113 m2 and A3-A5 1 space per 40m2 public floor space, plus 1 space per 5 staff (or other people). For residential flats a minimum 1 space per bedroom is required. The development proposed an enclosed secure bike store within the building at ground floor level providing parking for 33 bikes. These can be used by residents, hotel guests and staff of all units on the site. A further 20 spaces are provided to the front, along with 2 bike pumps, for use by retail and hotel customers. The development therefore accords with Policies TR5 of the OLP and HP14 of the SHP.

e. Landscaping

- 10.58. The proposals do not affect any existing trees on site. The details contained within the submitted revised landscape master plans and the landscape management plan appear to well considered and are appropriate for the site, including tree planting and other soft landscaping, particularly along the Banbury Road and Mayfield Road frontages, that will make a significant positive contribution to public amenity in the area; refer to OLP policies CP1, CP11 and NE15.
- 10.59. In relation to Summerfield School, the revised Landscape Masterplan includes tree planting along the eastern boundary of the site with the School and its new pre-prep building and playground. 4 new Callery Pear trees proposed; this is an ornamental pear tree with an upright/conical crown form that flowers in the spring, has good autumn colour, is deciduous but holds its leaves until late in the year. The fruits are very small, so there will be no maintenance, slip hazards associated with their production; in fact the species is commonly planted as a street tree with no such issues. Extra Heavy Standard nursery stock is to be used so the trees will be minimum 4.50 metres tall when planted. The trees have potential to reach 12-15 metres in height. Examples of the species planted 15

years or so ago are along the Cowley Road. At the spacing proposed they might provide a continuous canopy as they mature and provide some softening and a degree of screening of views across the boundary which will become more effective as they mature and get bigger.

- 10.60. The landscaping proposals accord with Policies CP1, CP11 and NE15 of the OLP. Detailed designs and specifications for each of the various tree planting pits and irrigation can be secured by condition.

f. Flood Risk and Drainage:

- 10.61. The proposed development is located within Flood Zone 1 according to the Environment Agency's Flood Maps. The site is not at significant flood risk from any sources of flooding, and the existing surface water system currently discharges into a Thames Water sewer.
- 10.62. A Sustainable Drainage Systems (SuDS) and Drainage Assessment accompanies the application. For previously developed sites, Oxford City Council would seek to reduce runoff to greenfield rates, or where this is not feasible, provide betterment to the existing runoff rate. The SuDS and Drainage Assessment states a 50% betterment for runoff, which would be acceptable in this instance. The Assessment also calculates for 1 in 100y + 25% Climate Change allowance and in Oxford this is expected to be 40%, in line with the Environment agency Climate Change Advice. Therefore, calculations should be submitted to allow for this. This can be covered with a suitably worded condition.
- 10.63. Given the above, details of the drainage infrastructure and details on how this is to be maintained are required in order to ensure the systems are in place and remain safe and functional for the lifetime of the development.
- 10.64. Thames Water has advised that there may be an issue regarding water capacity and suggest a Grampian condition requiring details of mitigation measures to enable sufficient water to be provided to the development. The Applicant has advised that there are strategic mains nearby which they consider would have ample local capacity. They have designed in a large amount of water storage on the site, with which they can supply the building with a greatly reduced incoming main size and flow rate. This would lead to a huge reduction in the impact on the local network if required. They are confident that this issue can be resolved in the normal way post planning and the Applicant has agreed to the imposition of the condition. As such the development is considered to accord with NE14 of the OLP.

g. Other matters

- 10.65. Public Art: The Planning Obligations Supplementary Planning Document (POSPD) identifies that contributions would be required from the scheme towards the provision of public art. This could be provided by way of a condition or contribution. Although public art has not been specifically detailed in the proposed scheme, this could be secured by condition.

- 10.66. Land Quality: The application site was previously used as a Garage including petrol station and vehicle servicing and repair since the 1940's. Records show that the site also housed petrol storage tanks in association with the former petrol station. There are no records of any petrol station decommissioning works nor any site investigations having been undertaken at the site. It is therefore essential that the site investigation is undertaken to determine the land quality and any remediation measures as required. This can be secured through a phase risk assessment pre-commencement condition and subject to this condition the proposal therefore accords with the NPPF, OLP Policy CP22 and Oxford City Council's Land Quality Strategy.
- 10.67. Air Quality: An Air Quality Assessment and Construction Dust Assessment have been submitted with the application. The assessment has indicated a medium risk to air quality from the construction phase and proposes site specific mitigation measures to reduce the impact. These would include the provision of a construction environmental management plan and dust management plan to manage the impact. This could be secured by condition. The proposal accords therefore with CS23 of the CS.
- 10.68. In addition to the above, a key theme of the NPPF is that development should enable future occupiers to make "green" vehicle choices and "incorporate facilities for charging plug-in and other ultra-low emissions vehicles. As a minimum requirement, new development schemes should include the electric vehicle recharging provision and to prepare for increased demand in future years, appropriate cable provision should also be included in the scheme design and development, in agreement with the local authority. The recommended provision rate is 1 charging point per unit (house with dedicated parking) or 1 charging point per 10 spaces (unallocated parking, i.e. flat development). Officers would recommend a condition which requires the implementation of on-site electric vehicle charging infrastructure.
- 10.69. Archaeology: On present evidence and bearing in mind the extent of the current building footprint and the distance from recorded remains of interest, this scheme would be unlikely to have significant archaeological implications.
- 10.70. Biodiversity: An Ecology report produced by Turnstone Ecology (August 2017) and GS Ecology (February 2017) has been submitted and includes a preliminary batt roost survey. It concludes that the site is of low ecological value and there would be no negative impacts on wildlife from the development. In terms of the bats, the survey revealed no bats or signs of bats were found in or around the buildings and no features suitable for roosts were observed. It is considered that the presence of protected habitats and species has been sufficiently assessed and the proposal accords with CS12 of the CS and a scheme of ecological enhancements can be suitably secured by condition.
- 10.71. Energy: An Energy Statement has been submitted which sets out the intended use of grey water recycling, high fabric performance through construction and energy efficiency measures, Air Source Heat Pumps for the Hotel and Combined Heat and Powers and possible use of Photovoltaics. Further details of these energy efficiency and renewable technologies in accordance with CS9 of the CS could be secured by condition.

10.72. Community Safety: Thames Valley Police have raised concerns and given advice on Secure by Design issues, much of which relate to internal working and the operation of the development. However advice on fencing & gates, lighting and CCTV cameras has been suggested in order to reduce the fear of crime. The Applicant has responded and has taken on board these comments. The landscaping scheme has been carefully considered so as to not impinge natural surveillance. Planting to Banbury Road frontage would be maintained to ensure it would not impede natural surveillance. Proposed lights within the pavement would assist deterrence. Proposed street furniture will be robust and additional bollards have been proposed to ensure vehicle intrusion is prevented. Cycles within the cycle storage could be separated to differentiate between residents and other users using partitions and secure coded access. Details of the bollards and CCTV can be secured by condition in accordance with CS19 of the CS.

11.CONCLUSION

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application. The main aim of the NPPF is to deliver Sustainable Development, with Paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

Compliance with Development Plan Policies

- 11.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.
- 11.4. In summary, the proposed development would make an efficient use of an existing mixed use site within the District Shopping Centre. The application has demonstrated that it would not have an adverse impact on car parking or highway networks. The application contains sufficient supporting information to demonstrate that it would be of a suitable scale and appearance for the site and its setting without having an adverse impact upon the adjacent neighbouring properties, and would be energy efficient, and would not have a significant impact upon biodiversity; trees; archaeology; flood risk; drainage; air quality; land contamination; or noise impact and any such impact relating to these matters could be successfully mitigated through the reserved matters applications and

appropriate measures secured by condition or associated legal agreements. The proposal would accord with the overall aims of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2011-2026.

Material Considerations

- 11.5. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.6. National Planning Policy: The NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, grant permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 11.7. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.8. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 11.9. 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.

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 panels of the of the exterior materials including stonework/brickwork demonstrating the colour, texture, face bond and pointing to be used shall be submitted to and approved in writing by the Local Planning Authority before the commencement of above ground works on the site. The development shall be completed in accordance with the approved details.

Reason: In the interests of the visual appearance in accordance with policies CP1, CP8 and CP9 of the Adopted Oxford Local Plan 2001-2016 and CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

4. Ground floor commercial Units 1 and 3 hereby permitted shall be confined to Classes A1(shop), A2 (Financial), A3(restaurant and café) and A4 (Drinking Establishments) of the Town and Country Planning (Use Class) Order 1987 as amended. Unit 2 & 4 shall be confined to Class A1(shop) of the Town and Country Planning (Use Class) Order 1987 as amended. The Units shall not be subdivided or combined into one without the prior approval of the Local Planning Authority.

Reason: The Local Planning Authority considers that changes to the use and number or size of unit should be subject of further consideration to safeguard appropriate uses within the Primary District Shopping Centre, residential amenities, appearance, impact on the highway in terms of traffic generation and safety, and parking provision in accordance with policies CP1, CP8, CP9, RC4, TR1, TR3, of the Adopted Oxford Local Plan 2001-2016 and Policies CS14, CS18 and CS31 of the Cores Strategy.

5. Prior to commencement of development including enabling and demolition works a Construction Traffic Management Plan shall be submitted to the shall be submitted to and approved in writing by the local planning authority. The construction of the development shall be carried out in strict accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

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.

6. No development shall take place until a Construction Environmental Management Plan shall have first been submitted to and approved in writing by the Local Planning Authority. The plan may refer, inter alia, to the following matters:

- signage for construction traffic, pedestrians and other users of the site;
- controls on arrival and departure times for construction vehicles;
- piling methods (if employed);
- earthworks;
- hoardings to the site, including to future adjacent development plots;
- noise limits;
- hours of working;
- vibration;
- control of emissions;
- waste management and disposal, and material re use;
- prevention of mud / debris being deposited on public highway;

- materials storage; and
- hazardous material storage and removal

The approved Construction Environmental Management Plan shall be implemented accordingly throughout the demolition and construction phases of development.

Reason: In the interests of the amenities of neighbouring occupiers, in accordance with policies CP1, CP19 and CP21 of the Oxford Local Plan 2001-2016.

7. Prior to the first occupation of the development hereby permitted the applicant shall submit to and obtain the agreement in writing of the local planning authority, a travel plan. Prior to first occupation a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling and occupiers of the commercial units shall be provided with a copy of the approved Travel Information Pack.

Reason: To proposed sustainable transport and limit the number of journeys by private motor car and reduce the pressure for car parking in the locality in accordance with policies CP1, TR2 and TR12 of the Adopted Oxford Local Plan 2001-2016.

8. A finalised Car Park and Delivery Management Plan shall be submitted to and approval in writing by the Planning Authority prior to occupation. This shall set out the allocation of parking bays between the different uses of the development, details of the controlled barrier and existing gate including operation and management (intercom for the exiting gate and manning of the hotel reception 24 hours a day to allow people to leave), delivery and servicing vehicles sizes and times, and details of the hotel website.

Deliveries must not take place between the peak hours of 07:30-09:30hrs or 15:30-18:30hrs. The size of the vehicles must also remain as stated.

The allocated parking bays shall remain allocated for the agreed uses thereafter.

The whole development shall be occupied and operated in accordance with the approved Car Park and Delivery Management Plan.

Reason: In the interest of highway safety and to encourage sustainable transport use in accordance with CP1, TR2 and TR12 of the Adopted Oxford Local Plan 2001-2016.

9. In respect of any proposed air conditioning, mechanical ventilation or associated plant, the applicant shall ensure that the existing background noise level is not increased when measured one metre from the nearest noise sensitive elevation. In order to achieve this, the plant must be designed / selected or the noise attenuated so that it is 10dB below the existing background level. This will maintain the existing noise climate and prevent 'ambient noise creep'. Details shall be submitted and approved in writing but he Local Planning Authority prior to commencement of development above ground and the approved details implemented.

Reason: In order to maintain the existing noise climate and prevent ambient noise creep in the interests of the residential amenities in accordance with policies CP1, CP10, CP19 and CP21 Oxford Local Plan 2001-2016.

10. No deliveries to or collections from the site shall take place before 09.30 hours or

between 15:30-18:30 hours nor after 20.00 hours on any week day or before 08.00 hours nor after 16.00 hours on a Saturday or at all on Sundays and recognised public holidays unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and free flow of traffic on highway in accordance with policies CP1, CP19, CP21, TR1 and CP9 of the Oxford Local Plan 2001-2016.

11. No occupation of the development shall take place until a scheme for treating cooking fumes and odours so as to render them innocuous has been submitted to and approved in writing beforehand by the Local Planning Authority and implemented on site. The scheme shall include the use of a grease filter and deodorising equipment that shall be serviced in perpetuity according to the manufacturer's instructions. There shall be no variation to the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with policies CP1, CP9, CP19 and RC12 of the Oxford Local Plan 2001-2016

12. Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11). Each phase shall be submitted in writing and approved by the local planning authority.
 - a. Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.
 - b. Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.
 - c. Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved by the local planning authority 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 site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

13. 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.

Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

Reason: To ensure that any ground and water contamination is identified and adequately addressed 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.

14. The landscaping plan proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

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

15. Detailed designs and specifications for each of the various tree planting pits shall be submitted to and approved in writing by the Local Planning Authority before the start of construction work on site or by another appropriate deadline as agreed in writing by the Local Planning Authority. Each tree pit shall provide adequate rooting volume to support the successful establishment and growth to maturity of the tree species that will be planted into it and shall also include appropriate tree support and irrigation measures. Reason: To ensure that newly planted trees establish and grow successfully to the benefit of public amenity in the area in accordance with policies CP1, CP11 and NE15 of the Oxford Local Plan 2001-16

16. Prior to the commencement of development above ground, an Ecological Mitigation and Management Plan shall be submitted to and approved by the Local Planning Authority. The Plan will include provision for and management of artificial roost features for bats and birds, including a minimum of five swift boxes incorporated into the new building. Details of landscape planting will be provided, including provision of native plant species and those of known benefit to wildlife. The Plan will also provide details of safeguards in respect of nesting birds and roosting bats, which, as mobile species, may utilise the site prior to development.

The specified scheme shall not be altered without the prior consent in writing of the Local Planning Authority.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026 and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

17. No development shall take place until a Construction Environmental Management Plan (CEMP), containing the specific dust mitigation measures identified for this development, has first been submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures to be included in the plan can be found in the Dust Risk Assessment from Aether (from June 2018) – page 8, that was submitted with the planning application.

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will be “not significant”, in accordance with Core Policy 23 of the Oxford Local Plan 2001- 2016.

18. Details of Electric Charging Vehicle points shall be submitted to and approved in writing by the local planning authority prior to commencement of development. Only the details shall be implemented prior to occupation. The electric vehicle infrastructure shall be formed and laid out in accordance with these details before the the development is first occupied and shall remain in place thereafter.

Reason: To contribute to improving local air quality in accordance with CP23 of the Oxford Local Plan 2001- 2016 and enable the provision of low emission vehicle infrastructure.

19. 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: To ensure that the proposed works do not cause harm to underground water utility infrastructure in accordance with Policies NE14 of the Oxford Local Plan 2001-2016.

20. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: To ensure that the proposed works would not cause harm to underground water utility infrastructure in accordance with Policies NE14 of the Oxford Local Plan 2001-2016.

21. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development in accordance with Policies NE14 of the Oxford Local Plan 2001-2016.

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

The plans, calculations and drainage details submitted shall demonstrate that;

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with an allowance for climate change.

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

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

IV. Where sites have been previously developed, betterment in runoff rates will be expected, with discharge at, or as close as possible to, greenfield runoff rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the LPA.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

23. Prior to the commencement of development, a Sustainable Drainage (SUDs) Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDS maintenance plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity.

Reason: To ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

24. Prior to the occupation of the development the drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained. The development is to be maintained in accordance with the approved Sustainable Drainage (SUDs) Maintenance Plan.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

25. A phased public art strategy shall be submitted to and approved in writing by the Local Planning Authority:

Phase 1:

Within 4 months of the commencement of development, details of the competition brief for an artwork which can be directly experienced by members of the public from within the public realm of Saville Road and/or Mansfield Road shall be submitted to and agreed in writing with the Local planning Authority prior to issue of the brief; and

Phase 2:

Details of the successful competition artist and their work of art proposal including form, materials, location and timescales for implementation shall be submitted to and agreed in writing prior to commissioning of the art work; and

Phase 3:

The commissioned public art work shall be implemented within the agreed timescales which may be varied as necessary and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be notified of the completed implementation.

Reason: To give further consideration to the matter in the interest of public amenity and in order to comply with CP14 of the Oxford Local Plan 2001-2016.

26. Prior to the commencement of development further details of energy efficiency and renewable technologies shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the lifetime of the development.

Reason: To meet the requirements of CS9 of the Core Strategy.

27. No development above ground shall commence until details of bollards, lighting, additional gates and fencing, access control and CCTV provision and management have been submitted to and approved in writing by the local planning authority. The approved scheme shall be installed, maintained and operated in accordance with the approved details.

Reason: in order to create accessible and safe environments, including addressing crime and disorder and fear of crime in accordance with Secured by Design, the NPPF and Policy CS19 of the Core Strategy.

28. Notwithstanding the submitted plans, further detailed plans of the shop fronts of the two commercial units in Site D shall be submitted to and approved in writing prior to commencement of that Phase of the development (Phase 2) in accordance with the approved Phasing Plan. Only the approved details shall be implemented and retained thereafter.

Reason: To give further consideration to these details to safeguard the appearance of the area in accordance with policies CP1, CP8, CP9, RC13, RC13 and RC15 of the Adopted Oxford Local Plan 2001-2016.

13. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – List of addresses

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