

Agenda Item 3

East Area Planning Committee

6th July 2011

Application Number: 11/01150/RES

Decision Due by: 20th July 2011

Proposal: Reserved matters of planning permission no. 09/01201/OUT, (for 2092sq.m of class B1 Business floor space and 106 student study rooms), seeking approval of appearance of block B and C and of the student accommodation block.

Site Address: Development Site Of Former Oxford Bus Depot 395 Cowley Road, Site Plan **Appendix 1**

Ward: Cowley Marsh Ward

Agent: N/A

Applicant: Berkley Homes (Oxford And Chiltern) Limited

Recommendation: East Area Planning Committee is recommended to approve the application for the reasons listed and subject to and including conditions set out below.

For the following reasons:

- 1 It is considered that the appearance of the proposed buildings would not be detrimental to the character and appearance of the street scene of both Glanville Road and Reliance Way. The development would not significantly harm existing residential amenities and is therefore considered acceptable.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted. It should be noted that the principle of development was previously fully considered and granted approval under the Outline permission 09/01201/OUT.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

subject to the following conditions:-

1. Develop in accordance with approved plans
2. Raised height of blunt top railings; 1.8m
3. Details of lighting bollards, inc hours of illumination

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

HS19 - Privacy & Amenity

Core Strategy

CS18_ - Urban design, town character, historic environment

CS19_ - Community safety

Other Material Considerations: None

Relevant Site History:

09/01201/OUT: Outline application (seeking access and layout) for the erection of 2092sq m of class B1 floorspace for start up businesses plus 106 student study rooms in 5 blocks on 2, 3 and 4 levels (including the retention and incorporation of Canterbury House). Provision of 28 car parking spaces accessed off Reliance Way, and 3 car parking spaces off Glanville Road, cycle parking and landscaping. Approved 17.03.2010

Representations Received:

Comments can be summarised as follows:

- Objection to the principle of students and employment on this site
- Proposed large student numbers will destroy balance of neighbourhood and diminish quality of life for residents.
- Add to problems of parking, traffic and congestion, pollution
- Bin collection will block Glanville Road due to increase in waste
- East Oxford is becoming a student dormitory and unsuitable for families
- Management of the student accommodation is not clear nor its adoption by a recognised educational establishment

Statutory and Internal Consultees:

Strategic Planning Consultations Team: No comment

Thames Water Utilities Limited: No observations to make.

Thames Valley Police: The boundary fence between the student accommodation and block C should be 1.8m around the site to deter crime. Ground floor windows should be fitted with windows to BS 7950 standard and have laminated glass and window restrictors to deter burglary.

Officers Assessment:

Background and Proposal:

1. The principle of the development for student accommodation and employment use on this part of the former bus depot has already been fully considered and approved under the previous Outline permission 09/01201/OUT (decision notice attached at **Appendix 2**). The outline permission approved the means of access and layout. Matters that were considered at that stage are therefore not for re-consideration or re-determination here, such as student numbers, building heights and car parking.
2. This application is to consider solely the detail of appearance that was reserved at the outline stage for the student accommodation building and two of the employment buildings. The principal heights of the blocks have already been approved as previously mentioned.

Issues:

3. Officers consider the main issues to consider are:
 - Appearance
 - Residential Amenities

Appearance:

4. The student accommodation principally fronts onto Glanville Road as well as forming a central block within the development, and has been designed to reflect the more traditional form of architecture found in the street, using pitched roofs, gables, projecting bays and predominantly red brick. However, it also has a flat roofed element and as the building returns into the site the architecture style becomes more modern, using all flat roofs, aluminium capping, brickwork and cedar cladding. It should be noted that all materials are required to be approved under condition 5 of 09/01201/OUT.
5. The principal frontage elevation is three storeys in height and has a comparable ridge height to that of the adjoining residential properties to the northeast and steps down in ridge height to the southeast to the commercial buildings adjacent. The more modern element to the rear rises to four storeys within the site with a flat roof, but this element would be comparable in height to the pitched roof of the principal frontage element. It would be seen behind the commercial building on Glanville Road. Whilst the proposal includes traditional and modern architectural styles it is considered that the buildings would not be harmful to the overall character and appearance of Glanville Road.
6. The employment buildings, Blocks B and C, are accessed via Reliance Way and face into the main bus depot site, and have therefore been designed to reflect its more classical architectural style with pitched roofs

and larger proportioned windows. The buildings are 3 storeys in height and Block B would be visible above the commercial building on Glanville Road. It is considered that these buildings would be in keeping with the character and appearance of the larger bus depot site and would not be harmful to the character and appearance of Glanville Road or Reliance way.

7. Bin stores for the student accommodation would be in a purpose built building, constructed of brick with a flat roof, which lies to the rear of the element facing directly onto Glanville Road. The design and appearance is considered to be acceptable and there would be no adverse impact on the street scene. Bins for the employment buildings are proposed between block B and Cantay House, behind a secure gate. They would not be visible to any public views.
8. It is considered that in terms of appearance the proposed use of modern and traditional architectural styling of the buildings would form an appropriate relationship to existing buildings surrounding the development and would not be detrimental to the character and appearance of the street scene of both Glanville Road and Reliance Way.

Residential Amenities

9. The principal frontage element of student accommodation to Glanville Road extends beyond the rear of the adjacent north-easterly residential property (No.1 Tyler Row) by approximately 4m and does not breach the City Council's 45 degree code regarding impact of light. There are no side windows but the rear windows in this element face south-easterly and the distance to the rear gardens of properties in the main bus depot site (nos.128-136 Reliance Way) is approximately 32m. This is not considered unreasonable distance in this type of urban location. It is indicated that trees would be planted around the shared garden area that lies in between the student accommodation and residential properties and which would be approved as part of a separate reserved matters application. This, together with the distance, means that whilst there would be overlooking it would not be considered so harmful so as to be unacceptable in this location building. This part of the building would not appear overbearing or cause loss of light to adjacent properties and thus no significant loss of residential amenities.
10. The 4 storey student element has windows that face northeast towards to the rear gardens of properties on Glanville road (Nos. 1-7 Tyler Row) and within the bus depot site (Nos. 108-118 Reliance Way). The distance to these properties is in excess of 28m. Again, this is not considered unreasonable distance in this type of urban location and together with the distance and proposed planting, means that whilst there would be overlooking it would not be considered so harmful so as to be unacceptable in this location.
11. Other windows in the southeast end elevation of this four storey block are to the main circulation corridors and face down the access roads in the

main bus depot site. It is therefore considered that this part the student building would not appear overbearing or cause loss of privacy or light to adjacent properties and there would be no significant loss of residential amenities.

12. Windows in employment Blocks B and C face either internally onto the car parking area, or to Reliance Way and above the commercial building on Glanville Road. It is considered that there would be no adverse impact on residential amenities from these buildings.
13. The proposed student bin store is adjacent to the garden of No.1 Tyler Row. It would be approximately 2.3m high with a flat roof. The ground levels between the site and No.1 differ by approximately 0.5m and the bin store would therefore be sited lower than the garden, which has an existing 1.8m high close boarded fence along. This fence would remain and the building would project above it by 0.5m. It is therefore considered that there would be no adverse impact on residential amenities in terms of overbearing or loss of light to the garden.

Other:

14. Thames Valley Police (TVP) raised concern regarding the height of part of the site boundary between block C and the student accommodation, where 1.2m blunt top railings are proposed. TVP has suggested raising the height to 1.8m, which can be secured by condition. Elsewhere Officers consider that the proposed boundary treatment of a mix of existing means of enclosure and proposed 1.8m high fencing is acceptable. TVP also suggest secure ground floor windows and the applicant has confirmed that these would be put in place.
15. The proposed plans indicate low level lighting bollards in the courtyard garden area, the principle of which is considered acceptable. However further details are required to ensure there would be no adverse impact on neighbouring properties from light spillage and hours of illumination. This could be controlled via condition.

Conclusion:

16. It is considered that the appearance of the proposed buildings would not be detrimental to the character and appearance of the street scene of both Glanville Road and Reliance Way. The development would not significantly harm existing residential amenities and is therefore considered acceptable.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 09/01201/OUT & 11/01150/RES

Contact Officer: Felicity Byrne

Date: 20th June 2011