

East Area Committee

4th January 2012

Application Number: 11/02638/FUL

Decision Due by: 12th December 2011

Proposal: Two storey extension to provide 6 additional bedrooms, office and store.

Site Address: Elmthorpe Convent Oxford Road Cowley (Site plan at **Appendix 1**)

Ward: Cowley Ward

Agent: RHA Architects Ltd

Applicant: Ms Helen Murphy

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal is considered to form an appropriate visual relationship with the existing convent and its surroundings, will not have a detrimental impact on the neighbouring properties and will not affect a horse chestnut tree providing care is taken during construction.
- 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, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Tree Protection Plan (TPP) 1
- 5 Arboricultural Method Statement (AMS) 1

- 6 Construction Travel Plan
- 7 Restriction on construction vehicles
- 8 Delivery Times
- 9 Sustainability measure

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Developmt to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Developmnt to Meet Functionl Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- HE2** - Archaeology

Core Strategy

- CS18_** - Urb design, town character, historic env

Other Material Considerations:

PPS1 Delivering Sustainable Development

Relevant Site History:

50/01516/A_H - Dormitory. PER 12th December 1950.

74/00349/A_H - Erection of laundry to replace timber building. PER 14th May 1974.

78/00512/A_H - Two storey extension. PER 19th July 1978.

98/01120/NFH - Demolition of existing hall. Construction of new single storey hall on same site. PER 20th August 1998.

85/01111/NF - 2 storey rear extension to form chapel and reconciliation room, with residential accommodation over. PER 12th February 1986.

06/01590/FUL - Demolition of existing structure on site except Mornese Centre. Erection of new two storey convent building with 12 bedrooms, car parking, landscaping and associated facilities. (Amended Plans). PER 16th October 2006.

Representations Received:

None

Statutory and Internal Consultees:

Highway Authority: no objections subject to conditions.

Issues:

Design
Residential Amenity
Highways
Trees
Archaeology
Sustainability

Officers Assessment:

Site Description

1. The existing convent is situated to the south of Oxford Road, at the junction with Hollow Way, from which the site is accessed. It is set within a large landscaped site, almost hidden from the main road and bounded to the east and south by 2 storey post-war (mainly semi-detached) residential properties on St Lukes Road and Coleridge Close respectively. To the west of the convent lies Our Lady's Roman Catholic Primary School.

Proposal

2. The application is seeking permission for the erection of a 6 bedroomed 2 storey extension to the existing convent to accommodate the Salesian Sisters of St John Bosco with additional space for Sisters from around the country whose convents are being closed.

Assessment

Design

3. Policy CS18 of the Core Strategy (CS) states planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1 and CP8 of the Oxford Local Plan (OLP). Policy CP1 states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings.
4. Policy CP8 of the Oxford Local Plan 2001-2016 suggests the siting, massing and design of the proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the

surrounding area.

5. The proposed extension completely copies the existing building in every respect i.e. materials, design, detailing etc. It is therefore considered acceptable as it will form an appropriate relationship with the existing convent and respects the character and appearance of the area subject to conditions requiring matching materials and compliance with the approved plans.

Residential Amenity

6. Policy HS19 of the OLP sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to reach the habitable rooms of neighbouring dwellings. This policy refers to the 45/25-degree code of practice, detailed in Appendix 6 of the OLP. For the purpose of these guidelines a habitable room includes a kitchen as well as living rooms, dining rooms, studies, bedrooms and/or playrooms. The proposal does not breach the 45/25-degree code of practice in relation to the neighbouring properties along St Lukes Road to the east of the application site.
7. Policy HS19 also assesses development in terms of creating a sense of enclosure or being of an overbearing nature. The proposal is approximately 27m from the rear boundary of the properties along St Lukes Road. This distance is considered to be sufficient so as not to be overbearing or create a sense of enclosure.
8. Policies HS19 and CP10 of the OLP require the correct siting of new development to protect the privacy of the proposed or existing neighbouring, residential properties and proposals will be assessed in terms of potential for overlooking into habitable rooms or private open space. There are two bedroom windows on the first floor in the side elevation facing the rear of the properties fronting St Lukes Road. However, given the general rule of thumb of a 20m back to back separation distance between habitable rooms is exceeded in this instance, then the proposal is not likely to give rise to any issues of overlooking or loss of privacy.

Highways

9. No additional car parking or cycle parking is proposed. However Officers do not consider this to be an issue as the rooms are for elderly nuns who do not drive. In accordance with the requirements of Policy CP13, the new building will provide disabled parking spaces, ramped and level access.
10. The Highway Authority recommends due to the location of the Convent on the Oxford Road B480 that a "rumble strip" is installed at the access point to the Convent to slow vehicles down before they exit onto the footway. Also warning signs erected on either side of the access of the applicants land warning of pedestrian movements. Officers queried this as they felt a rumble

strip would also slow traffic down entering the site which would be more detrimental to highway safety given the nature of the junction. Officers also felt that signs were unnecessary as vehicles would be exiting very slowly again due to the nature of the junction. Highway Officers agreed and revised their comments.

11. One highway safety issue is that construction deliveries should only occur between 0930 and 1430 so as to avoid school drop off and pick up times and this is suggested to be controlled by a condition.

Trees

12. Officers have no objection to the proposed extension. While it is within the nominal Root Protection Area of a horse chestnut tree, if adequate care is taken during the construction phase the tree shouldn't be harmed. If planning permission is granted conditions will be attached which require a Tree Protection Plan and Arboricultural Method Statement to be submitted and approved before construction starts.

Archaeology

13. Officers have consulted the Historic Environment Record and conclude that, on present evidence, this scheme would be unlikely to have significant archaeological implications.

Sustainability

14. The development falls below the size threshold where a Natural Resource Impact Analysis is required. However the original building built under 06/01590/FUL featured a number of sustainable features, as the applicant was keen to promote green principles in its design. It was proposed to use geothermal heating, roof lights in darker corridor areas to save energy during the day, and water butts around the building to collect rainwater. Construction materials incorporated higher 'U' values than required by Building Regulations in order to minimise heat loss. A condition is suggested to continue these principles through into the extension.
15. The site is located on the busy Oxford Road, which benefits from a good public transport system into the City Centre, and residential areas.

Conclusion:

For the reasons given and taking into account all other matters raised Officers conclude that the proposal accords with all the relevant policies within the Oxford Core Strategy 2026 and the Oxford Local Plan 2001-2016 and therefore recommends approval as the proposal is considered to form an appropriate visual relationship with the existing convent and its surroundings, will not have a detrimental impact on the neighbouring properties and will not affect a horse chestnut tree providing care is taken during construction.

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

Background Papers:

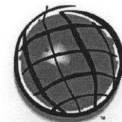
Contact Officer: Lisa Green

Extension: 2614

Date: 5th December 2011

Appendix 1

11/02638/FUL Elmthorpe Convent, Oxford Road



Scale : 1:2500

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Organisation	Not Set
Department	Not Set
Comments	Not Set
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